

PUBLISHED ANNUALLY, IN DECEMBER,

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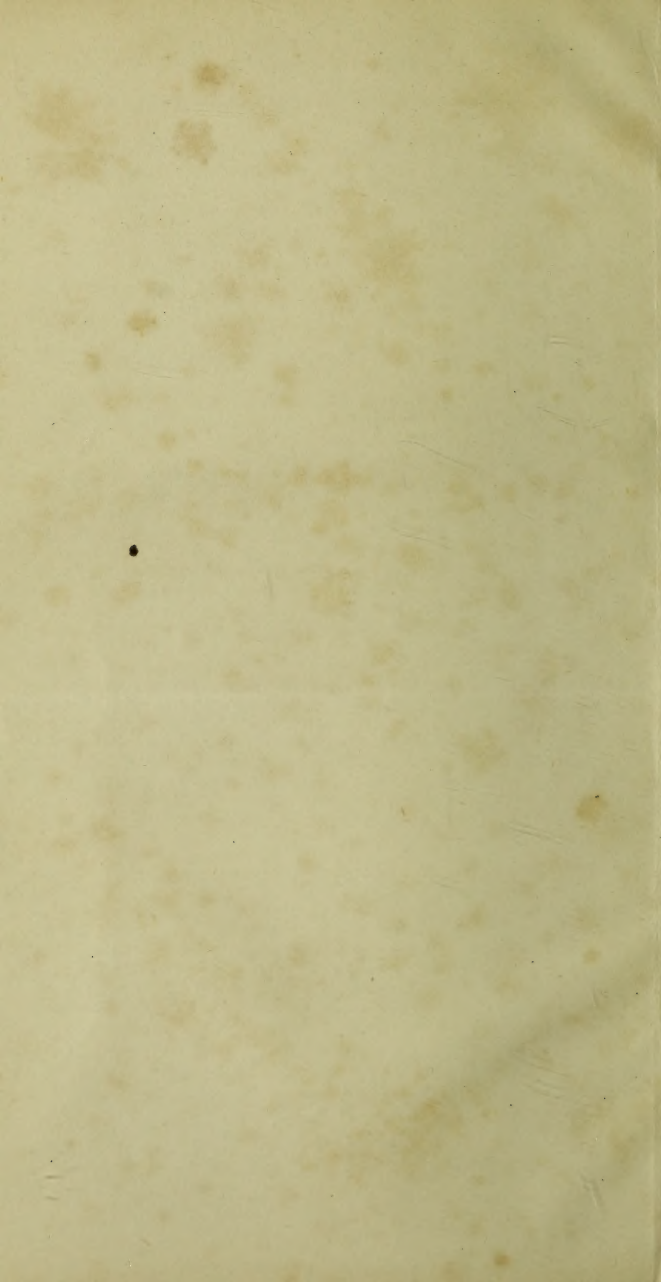
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Mr. THOM takes this opportunity of again returning his grateful thanks to the numerous distinguished persons and official authorities in Great Britain and Ireland, and in Her Majesty's Colonies and Foreign Possessions, through whose courtesy, influence, and obliging assistance he has been enabled to bring the Work to the high position it has attained ; and trusts that, as neither exertion nor expense is spared to give the ALMANAC AND OFFICIAL DIRECTORY additional claims to the patronage of the Public, it will even advance the reputation which the Work has already acquired.

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By ARTHUR MOORE, Esq.,

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FORMERLY SECRETARY OF THE CENTRAL BOARD OF HEALTH FOR IRELAND.

FOURTH EDITION:

REVISED AND BROUGHT DOWN TO 1858.

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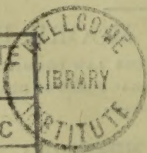
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P R E F A C E.

“THE present publication is designed to present a collection, in a convenient shape and compass, of the now numerous statutory provisions, and the general regulations which have been issued and are in operation, relating to the Relief of the Poor in Ireland and the functions of Poor Law Officers; so as to furnish, chiefly for those concerned in the administration of the Poor Law in Ireland, a ready means of reference to the enactments and instructions under which they are to exercise their functions.

“Although in some portions of the work, its contents might have been shortened by giving abbreviations of the statutory provisions contained in it, I have generally preferred giving the very terms of the law, at some cost of space, rather than a mere statement of their provisions in other and more condensed language. In some cases; however, where it has been unnecessary to insert an entire Act, in a book the object of which is confined to that which has relation to the Poor Law, I have endeavoured to give such an account or abstract of the Act as appeared sufficient, quoting in full those provisions of it which are essential or bear immediate relation to the object above expressed; but presenting

without curtailment, all the Acts which form part of the code of Irish Poor Law.”—(*From Preface to 3rd Edition.*)

A similar plan has been pursued in the present edition, in which the whole of the work has been thoroughly revised, and considerable additions have been made. As in the last edition, so in regard to the present, it may be observed, “In consequence of the changes and increase of matter in this edition of the work, I have found it necessary, for greater clearness, to alter in some respects the arrangement of the previous editions, and trust that the present arrangement of the work will facilitate the use of it by those who may chiefly have occasion to consult it.”

In this edition, I have brought more into juxtaposition different matters bearing upon one and the same branch of the subject, but otherwise distinct and unconnected, and which have arisen at different times; as in the case of the Orders and Circulars in Part II, where Circulars connected with the subjects of any of the Orders are now placed in immediate connection with the particular Orders to which they are relevant; Part III consisting of miscellaneous papers or circulars to which such an arrangement was not equally applicable.

It was originally my intention to prepare, instead of a new edition of the whole work, a supplement to the last edition, so as to carry on the collection from the time of that publication; and I had in fact proceeded in the preparation of such a supplement nearly to completion. The additions and modifications, however, which have taken place, both in statutes and in regulations, during

the time which has elapsed since the last edition was published, have been so extensive and various, as to make such an arrangement of the new matter inconvenient and unsatisfactory. The supplement would in itself have been of considerable bulk and too large to be comprised, with the original work, in one volume; and convenience and facility of reference would have been diminished by having two volumes instead of one. At the same time, considerable portions of the last edition, more especially in matter of regulation and orders, have been superseded by more recent provisions, or by the passing away of the temporary objects which gave occasion for them; and it is no longer necessary to allot so large a space to the portions in question as they previously occupied. It has therefore been thought preferable, a demand having arisen for a new edition, to revise and re-arrange the whole work, with the additions and alterations more conveniently arranged in their proper places, still comprising the whole in the compass of a single volume, and in much less space than would have been occupied if the alternative of retaining all the old matter, with a supplement containing the new, had been adopted.

The work can, however, be divided and bound up in two volumes, if preferred: the one might contain the whole of the Statutes (Part I. 1, 2, 3); and the other, the Orders and Regulations, Circulars of Instructions, Forms, Tables, and Appendix (Parts II to VI).

Much of those portions above alluded to has been considerably abbreviated by substituting an abstract or statement, sufficient for explanation and now for

all practical purposes, of the nature of the provisions in question, in place of reprinting them *in extenso*; and a considerable portion, now altogether superseded, has been entirely eliminated, (as more specifically pointed out in the observations introductory to Part I. 2, and elsewhere.)

Amongst the more important of the additions in the present volume, will be found the several Acts, including the last amending Act of 1856, for a General Valuation of Ireland in Tenements, which is to form the basis upon which future poor rates and other assessments are to be levied;—the Acts for the remission, first of part and afterwards of the whole, of the Consolidated Annuities;—the Acts authorizing Boards of Guardians to Apprentice Boys receiving relief to the Merchant Sea Service, or to provide for their outfit for the Royal Navy, where they are desirous and fit to enter either service;—provisions as to Relief of Pensioners and Seamen's Families;—the Act superseding the late Grand Jury Dispensary System, and providing for a more general and uniform system of Medical Relief by means of Dispensaries maintained out of the Poor Rate;—the Acts relating to Ministers' Money, first substituting in lieu of it a modified rate to be collected like poor rate or other local rates, and afterwards abolishing it altogether;—provisions from the Irish Towns Improvement Act, and various Municipal Acts; from the Parliamentary Voters, Income Tax, and other Acts, imposing duties on Poor Law Officers or bearing upon their functions.

Some sanitary and more recent acts are also added

in an Appendix: including, with others, two acts of 1851 and 1853 for the regulation of Common Lodging Houses, which have been held to apply to Ireland, and which in certain events involve expenses chargeable on the poor rate; the Irish Burial Grounds Act; and an abstract of so much as remains still unrepealed and applicable to Ireland, of the two acts of 1848 and 1849 for the Abatement of Nuisances injurious to health, and providing for precautionary and remedial measures in the event of a visitation of Epidemic Disease, such as Cholera or Fever.

The last-named acts originally related to the United Kingdom generally, the provisions for England and Wales and for Scotland being mixed up, in a very confused and embarrassing manner, with those for Ireland, however different the machineries employed. These acts have since been repealed and superseded by other provisions, passed in the sessions of 1855 and 1856, as regards England and Wales, and Scotland, but remain in force in regard to Ireland. In this part of the work, I have endeavoured to simplify the matter and phraseology of the acts in question by omitting all those portions which related to England and Wales, and those which applied to Scotland, but which are inapplicable to Ireland; and have retained only such provisions as applied and still apply to Ireland, but divested of the phraseology with which the same clauses were encumbered in reference to the other parts of the United Kingdom, which are not within the scope of this work.

This edition also contains, amongst the new matter,

several General Orders issued by the Commissioners of Irish Poor Law, superseding orders previously in force,—for regulating the Election of Guardians,—for the general regulation of the Proceedings and Business of Boards of Guardians on the various matters coming before them, the Administration of Relief by them, and the Appointment and Duties of Union Officers,—for the Keeping and Audit of Union Accounts, and the Collection of and accounting for Rates,—for the Adjustment of Liabilities in consequence of Alterations of Boundaries of the old poor law districts, and the conversion and Consolidation of Debts into Annuities, afterwards remitted and given up,—for the Combination of Unions into School Districts, and their regulation,—for constituting Dispensary Districts, and regulating their arrangements, the appointment and duties of Dispensary Committees and Medical Officers in the administration of Medical Relief and Vaccination;—and some other Orders, and Circulars of instruction and explanation on various matters relating to the administration of the Poor Law and Dispensary Acts, and the functions of Officers appointed under them.

The other Orders, in previous editions and still remaining in force—such as the General Rules for the Management of Workhouses, Order regulating contracts for Vaccination, Order prescribing Forms of Rates, &c.,—are of course retained in the present edition.

The work now contains about 140 Statutes or Abstracts of statutes, as well as references to many more which have been consulted, as enumerated in the List of Statutes added to the Table of Contents; 16 sets of

General Regulations or Orders issued by the Commissioners of Poor Law; a collection of about 85 Circulars of instructions or explanation relating to them, and of Instructions on particular subjects concerning the duties of officers; a collection of about 70 Forms, legal and miscellaneous, in addition to a larger number appended to the Acts and Orders or Regulations themselves; a number of Legal Opinions on various points; a Table of general Statistics of Unions and Dispensary Districts, in each Province and County, with summaries and alphabetical index tables referring to the particular Unions and Districts. The Notes of reference and explanation, and Introductory Observations in various portions of the work, have likewise been considerably extended and enlarged. And a comprehensive Analytical Index, which is in fact an abridgment of the whole work alphabetically arranged, occupies, with other similar matters, 164 closely printed pages.

The work will now be found to fill comparatively little more space, though containing a considerably larger quantity of matter, than heretofore. The last edition occupied 897 pages, with 116 of Index &c., making together 1023 pages. The present volume contains 1154 pages and 164 of Indexes, or 1318 pages in all.

I avail myself of this opportunity of recording my acknowledgments for the favourable reception which the work, in its previous editions, has met with; and have the more gladly responded to the call for a new edition, from a desire to leave the work as complete as I have been enabled to make it. Originally led to its compilation by the constant want of some such

collection or book of reference, in the daily performance of official duties in connection with the Poor Law in Ireland, in the course of which there was ample experience of the uncertainty, inconvenience and loss of time encountered in tracing out and referring to many different sources for a variety of matter now collected once for all into one volume, I had no other pretensions for the task which I imposed on myself in the preparation of this publication, than such as constant attention to the subject, a practical experience of long duration in the working of the law, and a patient examination into the various statutes connected with this subject, may be supposed to justify. I have only to add a hope that the present edition, upon which considerable labour has been bestowed, may be found not less useful than its predecessors, for the purposes for which the compilation has been chiefly designed.

ARTHUR MOORE.

MONKSTOWN LODGE, CO. DUBLIN;
30th March, 1858.

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ADDENDA.

Part I. 3, pages 397-400.—After the Act of 1837, (1 Vic. c. 83,) the following Extract from 14 & 15 Vic. c. 70 (passed 7th August, 1851,) should be inserted. The former act relates to documents to be deposited under the Standing Orders *before* obtaining a special act for a Railway or other similar works. The following extract relates to documents to be deposited under this act, called “The Railways Act, Ireland, 1851,” when the Company is taking land *after* it has obtained its act authorizing it to make a Railway.

EXTRACT from 14 & 15 Vic. c. 70;—*An Act to alter and amend certain Provisions of the Lands Clauses Consolidation Act, 1845, so far as relates to Ireland: (“the Railways Act, Ireland, 1851.”)*

“§ 11.—Every Clerk of the Peace and Clerk of any Union is hereby required to retain the Documents to be deposited with him under this Act, in his Custody; and to permit all Persons interested to inspect the same, and to make Copies and Extracts of and from the same, in like Manner, and upon the like Terms, and under the like Penalty for Default, as is provided by an Act of the Session holden in the Seventh Year of King William the Fourth and the First Year of Her Majesty, Chapter Eighty-three.”^a

Clerks of
Unions, &c.,
to take charge
of documents
deposited
under this
Act, as under
1 Vic. c. 83.

ELECTION OF GUARDIANS:—Right of IMMEDIATE LESSORS to VOTE.

The following note on this subject occurs in p. 106, upon the rating of Immediate Lessors under § 1 of 6 & 7 Vic. c. 92, and the right of voting in such cases :

“As to right of voting in the election of Guardians in respect of property for which Lessors are liable to pay rate, see 1 & 2 Vic. c. 56, § 80, 81, and notes thereon (p. 61-64). Where the Lessor is rateable under the present section, the Occupier is not entitled to vote, not being liable to rate. It has been held that an Immediate Lessor rated by name under this section is entitled to vote like an occupier, although he may not have made a statement of claim under § 84 of 1 & 2 Vic. and § 24 of 6 & 7 Vic. c. 92: but he would not be entitled to double votes under the latter part of § 81 of the former act, without such statement.”

Since this was printed, the following Circular has been issued by the Commissioners, containing further legal opinions, at variance with the opinion previously

^a 1 Vic. c. 83 (p. 397).

held, as referred to in the above note. A Bill has since been introduced into Parliament, containing provisions to amend and set at rest the uncertainty and inequity of the law in this respect, as interpreted in the opinions given below.

Circular of Commissioners to Returning Officers of Unions.

POOR LAW COMMISSION OFFICE, DUBLIN,
7th March, 1857.

The attention of the Commissioners has lately been called to the subject of the right of Immediate Lessors, rated under the provisions of the 1st and 4th sections of the 6 & 7 Vic. c. 92, in respect of tenements not exceeding £4 net annual value, or (in certain Boroughs named in the Act^a) under £8 net annual value, and also in respect of houses let in separate apartments or lodgings.

Opinions given by Mr. Brewster and Mr. Napier on this question were forwarded to the Commissioners, to the effect that Intermediate Lessors, rated under the provisions above referred to, are not entitled to vote in respect of the property for which they are so rated, they being neither occupiers paying rate nor landlords from whose rent a sum of money is deducted on account of rate; and that the votes of such Lessors, or of any other persons who are not Rate-payers, according to the definition given by the Legislature itself, (1 & 2 Vic. c. 56, sec. 80^b) ought not to be allowed.

These Opinions are at variance with the view which had been previously taken by the Commissioners, and which view they adopted from an opinion given by Mr. Justice Moore, when at the Bar, in the year 1844, to the following effect:—

“I think the Immediate Lessor who is, under the provisions of the 6th & 7th Vic.^a made liable to the Rate in the case therein mentioned, is entitled to vote; because, although he is not, in point of fact, the occupier, yet, under the 81st section^c and the provisions of the late Act^a, he is the person rated and liable to pay the rate.”

The Commissioners thus having totally opposite opinions from such eminent authorities before them, felt that it was necessary to obtain further advice on the subject; and they accordingly caused a Case, comprising the three opinions above referred to, to be laid before the present Attorney and Solicitor General for their joint opinion.

The Commissioners have now received the joint Opinion of the Attorney and Solicitor General; and they forward, for your information and guidance, copies of the Queries submitted, and of the Opinions given thereon.

You will observe that the Attorney and Solicitor General agree in the view taken by Mr. Brewster and Mr. Napier, that the Immediate Lessor rated under the provisions of the 6 & 7 Vic. c. 92^a, is not, as such, a Ratepayer entitled to vote.

It may be necessary to observe, that the Act 12 & 13 Vic. c. 91, which is referred to in the 1st and 4th Queries, is an Act which relates exclusively to Dublin.^d

To each Returning Officer.

By Order, &c.

Questions and Opinion referred to in foregoing Circular.

QUERIES.

OPINIONS.

- | | |
|---|--|
| 1. Is an Owner or Immediate Lessor rated under the provisions of the 1st or | 1. We concur with Messrs. Brewster and Napier, and are of opinion that the |
|---|--|

^a 6 & 7 Vic. c. 92, § 1, 4: p. 105, 109.

^b 1 & 2 Vic. c. 56, § 80: p. 61.

^c 1 & 2 Vic. c. 56, § 81: p. 62.

^d Dublin Rates Collection Act: p. 501.

4th section of the 6 & 7 Vic. c. 92^a; or the 63rd section of the 12 & 13 Vic. c. 91^b, a Rate-payer entitled to vote?

2. Is the actual payment of all rates made and assessed upon him as such Owner or Immediate Lessor, more than six months before the time of voting, necessary, in order to enable him to vote; the 85th section of the 1 & 2 Vic. c. 56^c, which disqualifies from voting in certain cases on account of non-payment of rate, applying only to Occupiers paying rent?

3. In the event of the Owner or Immediate Lessor not paying the rate, and the amount being recovered from the Occupier, (who in that event would be entitled to deduct the amount of the rate from his rent,) would the Immediate Lessor be entitled to vote on lodging the requisite claim as a person receiving rent from which deduction is made on account of rate?

4. In case the Occupier claims to be rated in pursuance of the provisions of the 66th section of the 12 & 13 Vic. c. 91^b, and is rated accordingly, and pays the rate, is the Immediate Lessor entitled to vote?

5. If the Immediate Lessor may vote as a Rate-payer, must he have claimed so to vote, or is he exempt from that necessity as an Occupier is, when voting only in respect of occupation?

"Owner" or "Immediate Lessor" rated under the Acts referred to in this Query, is not, as such, a Rate-payer entitled to vote.

2. The answer to the preceding Query renders an answer to this unnecessary.

3. We think that the Immediate Lessor would not be entitled to vote.

4. We are of opinion that under the circumstances stated in the 4th Query, the Immediate Lessor would be entitled to vote.

5. We have already expressed our opinion that the Immediate Lessor is not entitled to vote, save under the circumstances stated in the 4th Query; and then he becomes entitled to vote as a Landlord, and must claim as such.

The case is one of difficulty, and the Law by no means clear, but especially on the point put in the first Query.

J. FITZGERALD.

28th Feb. 1857.

J. CHRISTIAN.

Page 27, note ^b.—For 11 & 12 Geo. 3, c. 11, read 3 Geo. 4, c. 35 (p. 278).

Page 33, last line of note ^c.—For Part II. 3, read Part I, 3.

Page 85; Marginal note, "in writing to be given of Appeal, &c." at head of page, to be struck out.

Page 169, note ^b.—For § 5, read § 35.

Page 403, line 5.—Read "as to the applicability."

Page 437, line 3.—For § 21, read § 211.

Page 489, marginal note.—For Entries of Rate, read Entry of Rate or Valuation to be Evidence.

^a 6 & 7 Vic. c. 92, § 1, 4: p. 105, 109.

^b Dublin Rates Collection Act: p. 501.

^c Page 66.

Pages 1054 et seq.—Since the Tables herein were printed, the following changes appear from the Commissioners' Annual Report, dated 19 March, 1858, to have been made :—

Ardmore Dispensary District (in Dungarvan Union) :—Name of district changed to Ringville Dispensary District.

Carrickmacross Union :—A Midwife authorized for each of the three Dispensary Districts in the Union, in addition to the three Medical Officers.

Nenagh Dispensary District (in Nenagh Union) :—Two Medical Officers authorized, instead of one Medical Officer and one Apothecary, for this district ; making six Medical Officers for the Union.

Tramore Dispensary District (in Waterford Union) :—An Apothecary authorized for this district, in addition to the Medical Officer of same ; making five Medical Officers and two Apothecaries for the Union.

Page 1064 : Summary Table of Unions, &c.—Some of the particulars, owing to changes which have taken place, are now stated in the last Report, above referred to, to be as follows :—

PROVINCES.	Poor Law Valuation.	Number of				
		Dispensary Districts.	Dispensaries therein.	Medical Officers.	Apothecaries.	Midwives.
	£					
Leinster, . . .	4,256,271	202	310	227	10	9
Ulster, . . .	3,250,273	216	269	223	2	11
Connaught, . .	1,132,474	95	115	102	7	—
Munster, . . .	3,277,514	201	304	221	20	—
Total ; Ireland, .	11,916,532	714	998	773	39	20

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WORKHOUSES: continued.

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AND

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IRISH POOR RELIEF ACTS.

1 & 2 VICT. CAP. 56.

An Act for the more effectual Relief of the
destitute Poor in *Ireland*.

[31st July 1838.]

§ 1. WHEREAS it is expedient to provide for the more effectual Relief of the destitute Poor in *Ireland*: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Poor Law Commissioners for the Time being shall be the Commissioners to carry this Act into Execution^a.

1 & 2 VIC.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

Commission-
ers for
execution of
the Act.

2. And be it enacted^b, That it shall be lawful for the said Commissioners, or any One of them, at any Time or Place, by Summons under the Seal of the Commissioners, or under the Hand and Seal of any One of them, to require the Attendance of all such Persons as they or he may think fit to call before them

Power to
summon
Witnesses,
and to call
for Accounts,
&c. :—

^a The Commissioners here referred to were the Poor Law Commissioners for England and Wales, the execution of the Act having been placed under their direction, with a provision for the appointment of an additional Commissioner: see § 118-120 (p. 90-92). The subsequent act of 1847, 10 & 11 Vic. c. 90 (p. 156), transferred the control of the administration of the Poor Laws for Ireland to a separate Board of Commissioners, constituted for that country; and the constitution of the Board under that act has since been modified by the Dispensaries Act of 1851, 14 & 15 Vic. c. 68, (p. 207).

^b See § 19 of 10 & 11 Vic. c. 90 (p. 164).

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

Power to
examine
Witnesses,
&c. on Oath;
or require
Declaration.

Provisos.

or any of them, upon any Matter connected with the Objects or Purposes or the Execution of the Provisions of this Act; and to make Inquiries, and require Returns; and to administer Oaths, and examine all such Persons upon Oath; and to require and enforce the Production upon Oath, of Books, Contracts, Agreements, Accounts, Maps, Plans, Surveys, Valuations, and Writings, or Copies thereof respectively, in anywise relating to any such Matter; or, where the Commissioners or Commissioner shall think fit, in lieu of requiring such Oaths as aforesaid, to require any such Person to make and subscribe a Declaration of the Truth of the Matters respecting which he shall have been or shall be so examined; Provided always, that no Person shall be required, in obedience to any such Summons, to go more than Twenty Statute Miles from the Place of his Abode: Provided also, that nothing herein contained shall extend to authorize or empower the Commissioners to act as a Court of Record, or to require the Production of the Title, or any Papers or Writings relating to the Title, of any Lands, Tenements, or Hereditaments, not being Property vested in the Commissioners by virtue of this Act^a.

COMMISSIONERS: THEIR POWERS, &c.

Adminis-
tration of
Relief to
be under
Control of
the Com-
missioners:

who are to
issue Orders
for the pur-
pose.

3. And be it enacted, That from and after the passing of this Act, the Administration of Relief to the Poor throughout *Ireland*, according to such Laws as shall be in Force at the Time being, shall be subject to the Direction and Control of the Commissioners: and for executing the Powers given to them by this Act, the Commissioners are hereby au-

^a As to property so vested in the Commissioners, see § 34, 35 (p. 26, 27); see also 10 Vic. c. 31, § 20-23 (p. 142-146); and 11 & 12 Vic. c. 25, § 1, 2 (p. 169-171).

thorized and required, from Time to Time as they shall see Occasion, to make and issue all such Orders^a for the Government of Work-houses^b, Houses of Industry, and Foundling Hospitals, and of the Poor therein; and for the Guidance and Control, Appointment and Removal of the Officers^b thereof; and for the Guidance and Control, according to the Intention of this Act, of all Guardians^b, Wardens^b, and other Officers^b; paid or unpaid, acting in the Management or Relief of the destitute Poor; and for the keeping, examining, auditing, and allowing or disallowing of Accounts^b, and for the making of Contracts^b in all Matters relating to such Management or Relief, or to any Expenditure for the Relief of the destitute Poor, and for carrying this Act into Execution in all other respects, as they shall think proper; and the Commissioners may, at their Discretion, from Time to Time, suspend, alter or rescind such Orders, or any of them: Provided always, that nothing in this Act contained shall be construed as enabling the Commissioners, or any of them, to interfere in any individual Case for the Purpose of ordering Relief.

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1828.

Commis-
sioners may
suspend,
alter, or
rescind
Orders.

Not to order
Relief in
individual
Cases.

4. And be it enacted^c, That no General Rule of the Commissioners shall operate or take Effect until the Expiration of Forty Days after the same, or a Copy thereof, shall have been sent to one of Her Majesty's Principal Secretaries of State, unless one of Her Majesty's Secretaries of State shall sooner allow the same; and if at any Time after such

General
Rules to be
submitted
to the Secre-
tary of State.

Disallowance
of General
Rules:

^a "Orders," including General Rules under § 4: see Interpretation Clause, § 124 (p. 93).

^b For Orders issued by the Commissioners to the Unions generally, for these purposes, see Part II. of this work; and for references to particular subjects, see under their respective titles in Index.

^c These provisions as to General Rules are modified by 10 & 11 Vic. c. 90, § 12-15, which see (p. 162-3). Definition of "General Rule," § 124 (p. 94); and § 15 of 10 & 11 Vic. c. 90 (p. 163).

1 & 2 VIC.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

notification
of Disallow-
ance of
General
Rules.

General Rule shall have been so sent, Her Majesty with the Advice of Her Privy Council shall disallow the same or any Part thereof, such Disallowance shall be notified to the Commissioners by one of Her Majesty's Principal Secretaries of State; and such General Rule or the Part thereof so disallowed shall not come into Operation, if such Disallowance be notified to the Commissioners at any Time during the said Period of Forty Days; but if such Disallowance be so notified at any Time after that Period; then, from and after such Disallowance shall have been so notified, such General Rule, so far as the same shall have been so disallowed, shall cease to operate, subject however and without Prejudice to all Acts and Transactions under or in virtue of the same previously to Notice of such Disallowance having been given by the Commissioners in Manner herein-after mentioned^a.

General
Rules to
be laid be-
fore Parlia-
ment at com-
mencement
of each
Session.

5. And be it enacted, That all General Rules for the Time being in Force at the Commencement of every Session of Parliament, and which shall not previously have been submitted to Parliament, shall from Time to Time, within One Week after the Commencement of every such Session, be laid by One of Her Majesty's Principal Secretaries of State before both Houses of Parliament.

Orders to
be sent to
Guardians,
and Union
Officers;

6. And be it enacted, That a written or printed Copy of every Order of the Commissioners shall be sent by the Commissioners, by the Post or in such Manner as the Commissioners shall think fit, sealed or stamped with their Seal, addressed to the Guardians of the Union, or their Clerk, or the Officers acting in the Management or Relief of the destitute Poor^b, or other Officers required to

^a § 8 (p. 7).

^b See § 23, 26 (p. 17, 20); and § 18 of 10 Vic. c. 31 (p. 140-1).

carry such Order into effect; and to the Clerk to the Justices of the Petty Sessions held for the Division or Divisions in which such Union, or the Place where such Order is to take effect, shall be situate: Provided always, that no Failure or Neglect in sending Copies of any Order to any Clerk to the Justices as aforesaid shall in any way affect the Validity of such Order.

1 & 2 Vic.
c. 56.

also to Clerks
of Petty
Sessions:

7. And be it enacted, That every Clerk of such Guardians and the Clerks to the Justices aforesaid, respectively, shall and they are hereby required to preserve and give Publicity to such Orders, in such Manner as the Commissioners shall direct; and also to allow every Rate-payer (or his Agent authorized in Writing), in every such Union, to inspect the same at all reasonable Times, free of any Charge for such Inspection; and to furnish Copies of the same, being paid for such Copies at the Rate of Three-pence for every Folio of Seventy-two Words; and to allow Copies or Extracts thereof to be taken, on being paid for so doing at the Rate of Three Half-pence for every Folio of Seventy-two Words: and in case any such Clerk to the Guardians, or Clerk to the Justices, to whom such Orders or Copies thereof shall be sent as aforesaid, shall neglect to preserve and give Publicity to the same in the Mode prescribed or directed by the Commissioners, or shall refuse such Inspection, or to furnish or allow such Copies thereof to be taken as aforesaid, every Person so offending shall for every such Offence be subject and liable to a Penalty not exceeding the Sum of Ten Pounds nor less than Forty Shillings^a.

Clerks of
Guardians
and Petty
Sessions to
preserve
Orders, and
publish or
exhibit them
as may be
directed:

also to give
Copies, on
payment.

Penalty for
neglecting to
preserve
Orders and
give such
Publicity &c.

8. And be it enacted, That if any such

Disallowance
or Revoca-

^a Recovery of Penalties, § 99, 103 (p. 78, 80).

8 *Orders and Officers of Poor Law Commission.* [PART I. 1.]

1 & 2 VIC.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

tion of
Orders to
be notified
in like Man-
ner.

Officers of
the Commis-
sioners.

Names of
Commis-
sioners and
Assistant
Commis-
sioners for
Ireland, to be
published.

Commis-
sioners'
Powers may
be delegated
to one Com-
missioner, or
to Assistant
Commis-
sioners;

General Rule shall, after the same shall have come into Operation, be disallowed in Manner herein-before mentioned^a, or any Order whatever shall be revoked by the Commissioners, then and in every such Case the Commissioners shall send, by the Post or in such Manner as they shall think fit, to every Union affected thereby, Notice of such Disallowance or Revocation; such Notice of Disallowance or Revocation to be addressed, preserved, and inspected, and Copies thereof furnished, or allowed to be taken, in the same Manner and subject to the same Penalties as are herein-before mentioned^b respecting Orders.

9.^c And be it enacted, That every Assistant Commissioner, Secretary, Assistant Secretary, Clerk, and other Officer appointed by the Commissioners, shall, so far as the Commissioners shall direct, be Officers for carrying this Act into Execution.

10. And be it enacted, That a Notification of the Name of every Commissioner and of every Assistant Commissioner directed to carry this Act into Execution, shall, before they respectively enter upon the Execution of this Act, be published in the London Gazette and in the Dublin Gazette.

11. And be it enacted, That it shall be lawful for the Commissioners to delegate, by Writing under their Hands and Seal, to any One of the Commissioners, with the Approbation of One of Her Majesty's Principal Secretaries of State, or to any One or more of their Assistant Commissioners, provided such Assistant Commissioners shall be acting in Ireland, any of the Powers and Authorities

^a § 4 (p. 5), amended by 10 & 11 Vic. c. 90, § 14 (p. 162).

^b § 7 (p. 7).

^c See note a in p. 3. The provisions of this and the following clauses (§ 9-13), in relation to the Poor Law Commission, are superseded by 10 & 11 Vic. c. 90, § 1-20 (p. 156-165).

hereby or by any other Act given to the Commissioners (except the Power to make General Rules), as the Commissioners shall think fit; and the Powers and Authorities and the Delegation thereof, shall be notified in such Manner, and such Powers and Authorities shall be exercised at such Places, for such Periods, and under such Circumstances, and subject to such Regulations, as the Commissioners shall direct; and the Commissioners may at any Time revoke or vary all or any of the Powers and Authorities which shall be so delegated as aforesaid, and, notwithstanding the Delegation thereof, may act as if no such Delegation had been made.

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

and such
Delegation
may be
varied or
revoked.

12. And be it enacted, That every Assistant Commissioner may and is hereby empowered to summon before him such Persons as he may think necessary for the Purpose of being examined upon Oath (which Oath such Assistant Commissioner is hereby empowered to administer) upon any Question or Matter which the Commissioners, if present and acting in the Execution of the Powers of this Act, might entertain or inquire into: Provided nevertheless, that in lieu of requiring such Oath as aforesaid, such Assistant Commissioner shall, if he shall think fit, require such Person to make and subscribe a Declaration of the Truth of the Matters respecting which he shall have been or shall be so examined: and all Summonses made by any such Assistant Commissioner, and all Orders made by him in pursuance or exercise of such delegated Powers and Authorities as aforesaid, shall be obeyed, performed, or carried into effect by all Persons as if such Summons or Order had been the Summons or Order of the Commissioners^a.

Assistant
Commis-
sioners may
examine on
Oath;

or take a
Declaration.

^a See 10 & 11 Vic. c. 90, by which the provisions of these clauses (§ 9-12,) relating to the Poor Law Commission, are superseded,

1 & 2 VIC.
C. 56,
IRISH POOR
RELIEF ACT,
1838.

Penalties
for giving
false Evi-
dence or
refusing to
give Evi-
dence.

13. And be it enacted, That if any Person upon any Examination under the Authority of this Act^a. shall wilfully give false Evidence, or wilfully make or subscribe a false Declaration, he shall, on being convicted thereof, suffer the Pains and Penalties of Perjury; and if any Person shall refuse or wilfully neglect to attend in obedience to any Summons of the Commissioners or of any Commissioner or ~~Assistant Commissioner~~^b, or to give Evidence, or shall wilfully alter, suppress, conceal, destroy or refuse to produce any Books, Contracts, Agreements, Accounts, Maps, Plans, Surveys, Valuations, or Writings, or Copies of the same, which may be required to be produced for the Purposes of this Act, to any Person authorized by this Act to require the Production thereof^a, every Person so offending shall be deemed guilty of a Misdemeanor.

Expenses of
Witnesses;

14. And be it enacted, That it shall be lawful for the Commissioners, in any Case where they may see fit, to order and allow such Expenses of Witnesses, and such Expenses attending the Production of any Documents or Copies thereof to or before any Person authorized by this Act to require the Production thereof, as such Commissioners may deem reasonable, to be paid as follows; that is to say, out of the Rates of the Union which in the Opinion of the Commissioners shall be interested or concerned in such Testimony or Production respectively, in all Cases in which such Witnesses shall not go more than Ten Statute Miles from their Place of Residence; and in all other Cases, the Ex-

how to be
charged.

and other provisions enacted in lieu of them (p. 156). § 13 is also superseded by a corresponding provision in that Act, so far as relates to the Commissioners and Inspectors appointed in lieu of Assistant Commissioners, but remains in force in regard to the powers of Auditors under § 94 of the present Act (p. 73).

^a See § 94 (p. 73) as to Auditors' powers, &c. ^b See note ^a in p. 9.

penses so ordered or allowed shall be deemed part of the incidental Expenses attending the Execution of this Act, and be paid accordingly.

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

FORMATION OF UNIONS.

15. And be it enacted, That it shall be lawful for the Commissioners, from Time to Time, by Order under their Seal, to unite such and so many Townlands^a as they may think fit, to be a Union for the Relief of the destitute Poor, by such Name as the Commissioners shall by such Order direct.

Formation
of Unions.

16. And be it enacted, That it shall be lawful for the Commissioners, from Time to Time, as they may think fit, to declare any such Union to be dissolved, or any Townland or Townlands^a to be added to or separated from any such Union^b; and in case of any Addition to or Separation from a Union, or of any other Alteration of the Limits thereof, to make such Orders as they may think fit for adapting the Constitution, Management, and Government of such Union to its altered State; and^b in case of a total or partial Dissolution of any Union, or other Alteration of the Limits thereof, to ascertain to the best of their Judgments the proportionate Value to any and every Townland affected by such Dissolution or Alteration, of any Property held or taken for or relinquished by the Union in its altered State, and also the proportionate Amount chargeable on every Townland in respect of all the Liabilities of such Union existing at the Time of such Dissolution or Alteration; and the Commissioners shall thereupon fix

Dissolution
or Alteration
of Unions;

Adjustment
of Property
and Liabili-
ties on
Dissolution
or Altera-
tion of
Unions.

^a See extension of provisions respecting townlands, to places not already known as such, but which may be declared to be townlands for the purposes of these acts; 2 Vic. c. 1, § 1, 3, 4 (p. 98, 100).

^b See § 2 of 12 & 13 Vic. c. 104 (p. 185-6), which repeals part of this section and makes other provision in lieu thereof, in reference to the adjustment of accounts upon an alteration of the limits of Unions or Electoral Divisions.

1 & 2 VIC.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

Consent of
Guardians to
dissolution
or alteration
of Unions.

the Amount to be received or paid, or secured to be paid, by such Union or by any Townland affected by such Alteration, as the Justice of the Case appears to them to require; and all Sums to be received, if any, by such Union or Townland, shall be paid, or secured to be paid, to such Person and in such Manner, and shall be applied for the Benefit of such Union or Townland, as the Commissioners shall direct; and all Sums to be so paid, or secured to be paid, shall be raised by special Rates on the Property liable to be rated under this Act, under the Direction of the Commissioners, or charged on the Poor Rates, or such special Rates of such Union or Townland respectively, as the Commissioners may see fit: Provided always, that^a no such Dissolution or Alteration shall take place or be made unless a Majority of the Guardians of the Union affected by such Change shall also consent thereto in writing; and provided also, that no such Dissolution or Alteration shall in any Manner prejudice, vary, or affect the Rights or Interests of third Persons in respect of Contracts entered into by or on behalf of such Union or Townland previous to such Dissolution or Alteration; and that a Copy of every Order by which any Union shall be declared dissolved or altered shall be transmitted to One of Her Majesty's Principal Secretaries of State, who shall forward the same, or a Duplicate thereof, to the Lords of the Treasury.

CONSTITUTION OF BOARDS OF GUARDIANS.

On formation
of a Union, a
Board of
Guardians
to be con-
stituted
and elected.

17. And be it enacted, That when any Union for the Relief of the destitute Poor shall have been declared, a Board of Guardians of the Poor for such Union shall be consti-

^a This proviso is repealed by § 17 of 10 Vic. c. 31 (p. 139.)

tuted; and the Guardians shall be elected^a at such Time as the Commissioners, by their Order declaring the Union, or by any subsequent Order, shall direct^b.

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

18. And be it enacted, That the Commissioners may divide any Union into Electoral Divisions for the Election of Guardians^c, and may alter any such Division from Time to Time as they may see fit^d, so nevertheless that in making or altering such Electoral Divisions no Townland shall be divided: Provided always, that whenever One or more Townlands^e lying adjacent shall be the Property of one or more Proprietors, who shall be rated instead of the Occupiers of such Property as herein-after is provided^f, and who shall serve Notice in Writing to that Effect upon the Commissioners, the said Commissioners shall be at liberty, if they

Unions may
be divided
into Electoral
Divisions;
but no Town-
land to be
divided.

Proviso:—
Particular
Properties
may be
formed into
Electoral
Districts.

^a As to the Election of Guardians, see § 19-25 (p. 14-20), § 80-88 (p. 61-68): also 2 Vic. c. 1, § 2, 5 (p. 99, 100); and 6 & 7 Vic. c. 92, § 20-26 (p. 123-126): 12 & 13 Vic. c. 104, § 6, 8 (p. 189, 191).

^b After the first election, the Guardians are, under the 20th section and the Commissioners' Regulations, to be elected and returned annually, on the 25th March, or within fourteen days thereafter: for Regulations for the conduct of the Elections, see Election Order, (Part II. 1). But where a Board of Guardians is dissolved and paid Officers are appointed *vice* Guardians, such paid Officers continue for a year and until the March following its expiration, unless their appointment be sooner determined; and consequently an Election is not to take place in the March next following the dissolution, unless the appointment of the paid Officers shall have been revoked: see § 26 (p. 21), and § 3 of 12 Vic. c. 4, under which the Commissioners may discontinue the paid officers and order a new Election of Guardians, at any time (p. 182). In no case are any Vice-Guardians hereafter appointed to continue in office for a longer term than one year and until the 25th March next after its expiration (§ 26, p. 21).

^c Under 2 Vic. c. 1, § 2 (p. 99), Electoral Divisions may, in certain cases, be subdivided into Wards for the Election of Guardians: and under § 8 of 12 & 13 Vic. c. 104, the Commissioners may combine Electoral Divisions for the Election of one Guardian for such combined Divisions (p. 191).

^d See § 2 of 12 & 13 Vic. c. 104, as to adjustment of accounts on alteration of Electoral Divisions or Unions (p. 185).

^e See as to townlands, § 15, and note a thereon (p. 11).

^f Under § 72 of this act (p. 54), and § 5 of 6 & 7 Vic. c. 92 (p. 111), Immediate Lessors of properties *above* or *below* £5 net annual value, may be rated instead of the Occupier, by agreement, and a rebate allowed, as therein provided: (see note ^d in p. 54.)

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEFACT,
1838.

Number
and qualifi-
cation of
Guardians
to be deter-
mined by the
Commis-
sioners:

Qualification
of Guardians;

not to exceed
£30.

No Minis-
ter of Reli-
gion to be a
Guardian.

Election of
Guardians
to be annual,
in March :

shall deem it expedient, to form such Town-land or Townlands into an Electoral District.

19. And be it enacted, That the Commissioners shall determine, and from Time to Time may, as they may see fit, alter the Number of the Guardians to be elected in each Union, and the Number to be elected for every Electoral Division^a, having due Regard to the Circumstances of each such Division^b, (so nevertheless that every Person qualified to vote in the Union shall be entitled to vote in the Election of One Guardian at the least,) and may also fix the Value of the Qualification by which Male Persons of full Age shall be eligible as such Guardians, (such Qualification to consist in being entitled to vote^c at Elections of Guardians in such Union,) but not so as to require a Qualification exceeding the net annual Value of Thirty Pounds^d: Provided always, that no Person, being in Holy Orders, or being a regular Minister of any Religious Denomination, shall be eligible as a Guardian.

20. And be it enacted, That on the Twenty-fifth day of *March* in every Year,—or

^a See similar provision as to Wards, 2 Vic. c. 1, § 2 (p. 99). The number of Guardians for each Division and Ward is prescribed by the Commissioners' Orders in that behalf for the respective unions, and is set forth in the Notice to be given of each election, under the Election Order (Part II. 1: Notice, Form D). For Numbers of Guardians to be elected for the respective Unions, see Table (Part V.).

^b Under § 8 of 12 & 13 Vic. c. 104, the Commissioners may combine Electoral Divisions in a Union, for the Election of one Guardian for such combined Divisions (p. 191).

^c The persons entitled to vote and elect Guardians consist of "Rate-payers" under the last rate: see § 80, 81, and note ^a in p. 62.

^d The qualification was fixed in the case of each Union by the first Election Order, or has been fixed by other Orders since issued in that behalf. Under § 6 of 12 & 13 Vic. c. 104, the Commissioners may fix different amounts of qualification for different Electoral Divisions in the same union (p. 189). For the present amounts of Qualification in the respective Unions, see Table (Part V.) A person may derive his qualification for the office of Guardian, for any Division, from the aggregate of his interest in different properties in any Division or Divisions in the Union.

if that Day should fall on a *Sunday* or *Good Friday*, then on the Day next following,—or within Fourteen Days next after such Twenty-fifth Day of *March*, the Guardians for the ensuing Year, to be computed from such Twenty-fifth Day of *March*, shall be chosen^a; and immediately upon their Election, the Guardians previously elected by the Rate-payers of any Union shall go out of office: Provided always, that the Guardians first elected by such Rate-payers shall, if the said Commissioners shall by any Order so direct, hold Office until the Twenty-fifth Day of *March* next after their Election, and thenceforth for One Year; and that in every Case, the Guardians whose Term of Office shall expire on the Twenty-fifth day of *March* in any Year shall continue to act as Guardians until others are elected or appointed in their Stead^b.

1 & 2 VIC.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

Board to act
until suc-
cessors are
appointed.

21. And be it enacted, That any Guardian going out of Office shall be re-eligible for the ensuing or any subsequent Year^c; and that the same Person may be elected for more than one Electoral Division^d.

Guardians
eligible in
more than
One Year or
Division.

^a But where a Board of Guardians is dissolved and paid Officers are appointed, the latter continue in office, unless their appointment be sooner revoked, for a year from the time of their appointment and until the March following the expiration of that year; so that there is no Election in the March next after the dissolution, unless the appointment of the paid Officers shall have then been revoked: see § 26 (p. 21), and § 3 of 12 Vic. c. 4 (p. 182).

^b A case having been laid before the Right Hon. F. Blackburne, when Attorney-General for Ireland, in Feb. 1842, with respect to this clause, it is held that the provision at the end of the clause does not apply to individual Guardians but to the Board collectively; and that a particular Guardian who shall not be re-elected in due form when the Election in March takes place, has not a right to remain a member of the Board until his successor is elected.

^c This section, however, does not dispense with the qualification prescribed under § 19. A person, although already a Guardian, can only be re-elected and returned, if he possesses the qualification prescribed by the order in force at the time being in which its value is fixed in pursuance of that section. If he possesses such qualification, a Guardian may be re-elected, all the proceedings for his election being duly taken in accordance with the Election Regulations as in the case of any other candidate.

^d A Guardian, however, has but one vote at a Board of Guardians,

1 & 2 VIC.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

In case of
Non-election, or
Refusal to
act, or of
Death, Resignation, or
Disqualification, the
remaining
Guardians
to act.

Justices of
the Peace,
residing and
acting as
such, to
be *ex officio*
Guardians:
but not
Stipendiary
Magistrates,
Assistant
Barrister,
Ministers of
Religion.

22. And be it enacted, That in case the full Number of Guardians shall not be duly elected at any Election of Guardians for the Time being, or in the event of any Vacancy occurring in such Board by the Death, Removal, or Resignation, (which the Commissioners are hereby empowered to accept,) or Refusal or Disqualification to act^a, of any Guardian, the other or remaining Members of the said Board, shall continue to act until the next Election, or until the Completion of the said Board^b, as if no such Vacancy had occurred, and as if the Number of such Board were complete.

23. And be it enacted, That every Justice of the Peace residing in any such Union, and acting for the County in which he so resides, and not being a Stipendiary Magistrate or Assistant Barrister, or a Person in Holy Orders, or a regular Minister of any Religious Denomination, shall be an *ex officio* Guardian of the Poor for such Union^c; and (unless the

although he may represent more than one division, or may sit in the double capacity of *ex officio* and elected Guardian.

^a Disqualification :— such as, becoming a minister of religion, § 19 (p. 14); conviction of offences specified in § 101 of this Act (p. 79) or in § 22 of 6 & 7 Vic. c. 92 (p. 124); or ceasing to possess the interest as a Rate-payer, which conferred the qualification; or upon the appointment of any person by the Commissioners in place of a Guardian neglecting or refusing to act, § 25 (p. 20), so long as such appointment continues. If a Guardian become disqualified during the period for which he is elected or appointed, he must cease to act.

^b The 21st section of 6 & 7 Vic. c. 92 (p. 124), enables the Commissioners, if they think fit, but not otherwise, to order a fresh election to supply any vacancy. But, nevertheless, in case of vacancy, the remaining Guardians continue to act until it be filled.

^c There is nothing in these acts to prevent a stipendiary magistrate or an assistant-barrister from being returned as an *elective* Guardian, if duly qualified; but a minister of religion is disqualified under § 19 (p. 14). An *ex officio* Guardian must be an acting Justice of a county, part of which is in the Union, and he must be resident in that part; except in the case provided for in § 7 of 12 & 13 Vic. c. 104 (p. 190), where the number of such resident qualified Justices is less than the number of elected Guardians. By 7 Wm. 3, c. 13, § 3, it is enacted, that no Sheriff or Sub-Sheriff is to act, while such, as a Justice of the Peace in the same county; and accordingly any Justice is disqualified as an *ex officio* Guardian on becoming

Commissioners shall by any Order postpone for such Time as they shall see fit, the Period at which such *ex officio* Guardians shall act as such, which Order the Commissioners are hereby empowered to make and issue,) the said *ex officio* Guardians shall, until a Board of Guardians be duly constituted, and also in case of any Irregularity or Delay in any subsequent Election of Guardians, by reason whereof there shall be no legally constituted Board of Guardians of such Union, receive and carry into effect the Orders of the Commissioners; and after such Board shall be constituted as aforesaid, every such Justice shall *ex officio* act as a Member of such Board, in addition to and in like Manner as an elected Guardian.

1 & 2 Vic.
c. 56.

Where full Board not constituted, *ex officio* Guardians to act as Board.

24. Provided always and be it enacted, That the Number of *ex officio* Guardians of any Union shall in no Case exceed One Third of the Number of Guardians to be elected by the Rate-payers of such Union^a; and in every Case where the Number of Justices qualified as aforesaid shall exceed One Third of the whole Number of the Guardians to be elected by such Rate-payers^b, the Justices so qualified shall, within Fourteen Days after the Declaration of such Union, assemble at a Meeting to be specially held for the Purpose at a Time and Place to be appointed by or under the

When qualified Justices exceed the proper number, Justices to meet and appoint *ex officio* Guardians:

and while continuing to be a Sheriff or Sub-Sheriff, and ceasing to act as a Justice for the county from which he derived his qualification.

^a This limitation of the proportion of *ex officio* Guardians is repealed by § 16 of 10 Vic. c. 31; but the number of *ex officio* Guardians must not exceed the whole number of elective Guardians of the Union (p. 138); and cannot therefore be more than half of the entire Board. And see further provision in § 7 of 12 & 13 Vic. c. 104, as to *ex officio* Guardians where the number of qualified Justices resident in any Union is less than the number of elected Guardians (p. 190).

^b See amended provisions in § 16 of 10 Vic. c. 31 (p. 138); and Regulations and Circulars as to selection of Ex-officio Guardians (Part II. 2).

1 & 2 VIC.
c. 56,
IRISH POOR
RELIEF ACT,
1838.
—

Ex officio
Guardians to
act till 29th
September in
each year:

successors to
be annually
appointed in
like manner.

List of
ex officio
Guardians to
be sent to
Commission-
ers, &c.

Ex officio
Guardians
re-eligible.

Where quali-
fied Justices

Order of the Commissioners, of which Meeting the Justice senior by Appointment who shall be present shall be Chairman; and thereupon the said Justices shall, by a Majority of their Number present and voting, (the Chairman, in case of an Equality of Votes in favour of two or more Persons, to have a double or casting Vote,) appoint from the Justices so qualified a Number of Persons nearest to but not exceeding ~~One Third~~^a of the Number of the Guardians to be elected by the Ratepayers; and the Justices so appointed shall be entitled to act as *ex officio* Guardians of the Poor of the Union, from the Period of the first Appointment so made until the next Twenty-ninth day of *September*, and for one Year next ensuing, or until others shall be appointed in their Stead; and at the Expiration of One Year after the Twenty-ninth Day of *September* next following such first Appointment, and on the Twenty-ninth Day of *September* in every succeeding Year, or within Fourteen Days thereof, the *ex officio* Guardians for the year, computed from the Twenty-ninth Day of *September*, shall in like Manner be appointed^b; and immediately upon their Appointment the *ex officio* Guardians last previously appointed shall go out of Office: and Lists of the Names of the Justices so appointed to serve as *ex officio* Guardians of any Union, duly certified by the Chairman of the said Meeting, shall be sent by him to the Commissioners and to the Clerk of the Peace of the County; and the Clerk of the Peace shall preserve the same in the Records of the County: Provided always, that any *ex officio* Guardian shall be re-eligible for the ensuing or any subsequent Year: Provided also, that whenever the Number of Justices qualified as

^a See note ^a in p. 17.

^b See note ^b in p. 17.

aforesaid to act as *ex officio* Guardians in any Union, shall, by Death, Removal, Disqualification to act, or from any other Cause, be reduced to or below ~~One Third~~^a of the Number of the elective Guardians, then, and so long as the Number shall not exceed ~~One Third~~^a of the Number of elective Guardians, the whole of the Justices so qualified shall be entitled to act as *ex officio* Guardians.

1 & 2 Vic.
c. 56.

reduced to
number
assigned,
all become
ex officio
Guardians.

25. And be it enacted, That in case an Election of Guardians for any Electoral Division, or for any Union, shall not take place in obedience to the Orders of the Commissioners and in pursuance of this Act,—or in case any Guardian duly elected shall neglect or refuse to act,—the Commissioners shall order a fresh Election^b of Guardians for such Electoral Division^c, or shall declare the Place of such Guardian as aforesaid to be void, as the Case may be, and in such latter Case shall order a fresh Election^b of a Guardian in lieu of such Guardian as aforesaid; and if an Election of Guardians for such Electoral Division or Union shall not thereupon take place, or any Guardian who may be elected at such fresh Election shall neglect or refuse to act, then the Commissioners may appoint any Person whom they may deem fit, to fill the Place of any such Guardian of whom there has been such Failure of Election, or of any Guardian who shall have neglected or refused to act, as aforesaid; and every Person so appointed

In case of
non-election
of Guardians
for an Elec-
toral Divi-
sion, or of
Neglect or
Refusal to
act, Com-
missioners
to order a
fresh Elec-
tion for such
Division:

If under
such Order
an Election
do not take
place, or if
any Guardian
elected re-
fuse to act,
Commis-
sioners may
appoint.

^a See note ^a in p. 17.

^b Under 6 & 7 Vic. c. 92, § 21 (p. 124), the Commissioners may order a fresh election in any case of vacancy in the office of Guardian, if they see fit to do so, but not otherwise.

^c The words "or union" in a previous part of the section are not repeated here, although they are in the next following clause of the section. The section would appear to have been intended to apply only to particular Electoral Divisions or individual Guardians. Other provision is made in regard to Unions at large, in § 26 of the present act, as amended by § 18 of 10 Vic. c. 31.

1 & 2 Vic.
c 56,
IRISH POOR
RELIEF ACT,
1838.
—

Guardian
not acting,
disqualified
upon ap-
pointment of
another per-
son, until
re-elected.

Power of
Commission-
ers to dis-
solve a Board
of Guardians,
and to order
a fresh
Election :

If thereafter
the new
Guardians
shall not duly
act, paid
Officers may
be appointed.

shall serve and hold the Office of Guardian until an Election of Guardians shall take place under the Provisions of this Act^a; and every Person so appointed shall during the Period of his Service of the Office have the same Powers, and shall be subject to the same Obligations, in all respects, as Guardians elected by the Rate-payers^b under this Act: and every Guardian neglecting or refusing to act shall, upon the Appointment of any Person to fill his Place, cease to act, and to have any Right or Title to act, as Guardian of such Union, until again duly elected or appointed to be a Guardian.

26. And be it enacted, That in case regular Meetings of the Board of Guardians of any Union shall not be holden at the Times enjoined by the Orders of the Commissioners, or in case, through the Default of the Guardians, the Duties of such Board of Guardians shall not be duly and effectually discharged according to the Intention of this Act, the Commissioners shall declare such Board of Guardians to be dissolved, and shall order a fresh Election of the Guardians of such Union^c; and in case the Guardians elected at such fresh Election shall not hold regular Meetings at the Times enjoined by the Orders of the Commissioners,—or in case, through the Default of such Guardians, the Duties of such Board of Guardians shall not be duly and effectually discharged according to the Intention of this Act,—then the Commissioners may appoint such and so many paid Officers as they may think fit to carry into Execution the Provisions of this Act, and from Time to

^a § 20 (p. 14).

^b § 80, 81, *et seq.*

^c The provisions of this section are amended by § 18 of 10 Vic. c. 31, under which the Commissioners may dissolve a Board of Guardians, and are required thereupon to appoint paid Officers at once and without an intermediate election of a new Board (p. 140-1).

Time revoke and determine such Appointments; and the Commissioners shall, from Time to Time, as they shall see fit, define and direct the Execution of the Duties of such Officers, and the Amount and Nature of the Security to be given by such of them as the Commissioners shall think ought to give Security, and regulate the Amount of Salaries payable to such Officers respectively, and the Time and Mode of Payment thereof; and such Salaries shall be chargeable on and payable out of the Rates levied for the Relief of the destitute Poor of such Union: Provided always, that unless the Commissioners shall sooner revoke or determine the Appointment of such paid Officers, such paid Officers shall hold their Offices for the Term of One Year from the Date of their Appointment, and thenceforth till the Time of the next Election of Guardians for such Union^a under the Provisions of this Act, and no longer.

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

Commissioners to regulate the Duties, Securities, and Salaries of Officers appointed in lieu of Guardians.

Term of service of Vice-Guardians.

27. And be it enacted, That the Board of Guardians for every Union, including all Persons herein-before empowered to act as Guardians^b, while so acting, shall be and are hereby declared to be a Body Politic and Corporate, and shall be called by the Name of "The Guardians of the Poor of the ———— Union," and are hereby authorized and enabled by that Name to sue and be sued, plead and be impleaded, in Law and in Equity, take and hold Goods and Chattels, and to enter into and execute all such Con-

Guardians incorporated.

^a i.e. till the 25th March next after the expiration of a year of office of the paid Officers; see § 20 (p. 14). Although under the present section the Commissioners might sooner revoke or determine the appointment of the paid officers, there was before the passing of 12 Vic. c. 24, in 1849, no provision for the election of Guardians at other than the ordinary time of annual election, in March (§ 20): but under § 3 of 12 Vic. c. 24 (p. 182), the Commissioners may now determine the appointment of the paid Officers and order an election of Guardians at any time.

^b § 25, 26 (p. 19. 20).

22 *Powers & Proceedings of Board of Guardians.* [PART I. 1.]

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

Property and
Powers of
Guardians.

Commis-
sioners, &c.,
entitled to
attend
Meetings of
Guardians.

Transaction
of Business
by Guar-
dians.

tracts connected with the Relief of the destitute Poor, and with the Purposes of this Act, as shall be enjoined or permitted by the Orders of the Commissioners^a; and all the Monies levied by Rates under the Provisions of this Act within each Union, and all Goods and Chattels purchased with such Monies, or otherwise taken or held for the Purposes of this Act within such Union, shall be deemed at Law to be the Property of the Board of Guardians^b; and such Boards of Guardians shall have Power to govern and manage the Workhouses of their respective Unions, and to direct the Officers of such Unions in the Execution of their Duties, subject to the Orders of the Commissioners^c; and every Commissioner and Assistant Commissioner^d shall be entitled to attend every Board of Guardians, and to take part in their Discussions, but not to vote at any such Board.

28. And be it enacted, That the Board of Guardians in every Union shall meet at such Times as shall be enjoined by the Orders of the Commissioners, upon giving such Notice as shall be prescribed by the said Commissioners^e; and all lawful Acts, Contracts, and Matters done, entered into, and transacted at such Meetings by a Majority of the Guardians present and voting, and verified by the Signatures of Three of such Guardians, and countersigned by their Clerk, shall be as valid and ef-

^a The Guardians are to have a seal (§ 73); and all Contracts and other formal acts of the Board of Guardians are to be verified by the signatures of three Guardians and the Clerk of the Board; see § 28, 29, and note ^a in p. 23.

^b Under § 34, 35, the Workhouses and Land on which they stand are vested in the Commissioners.

^c Order containing Workhouse Rules (Part II. 3).

^d This provision, so far as regards Assistant Commissioners, is now superseded by the 10 & 11 Vic. c. 90: see § 7 of that act (p. 160), by which similar provision is made in regard to Inspectors under the latter act. Under § 9 of that act, the power of the Commissioners is transferred to the Commissioners constituted under the same act.

^e See as to Meetings of Guardians, &c., in General Regulations (Part II. 2).

fectual as if all the Guardians had been present and concurred; and the Signatures of Three Guardians, Members of any Board, affixed to any Resolution, Contract, or Order, purporting to be entered into or made by such Board of Guardians, shall be *primâ facie* Evidence that such Resolution, Contract, and Order was duly entered into or made by such Board^a.

1 & 2 VIC.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

29. And be it enacted, That, except where the Consent of a Majority of Guardians is required by this Act, and except also where it may be otherwise ordered by the Commissioners, no *ex officio* or elected Guardian shall have Power to act in virtue of his Office, except as a Member, and at a Meeting of a Board of Guardians; and no Act of any such Meeting shall be valid unless Three Members shall be present and concur.

No Guardian to act except at a Board, or as specially authorized :

No act valid, unless Three Guardians present and concur.

30. Provided always, and be it enacted, That no Defect in the Qualification, Election, or Appointment of any Person acting as a Guardian at a Board of Guardians shall vitiate or make void any Proceedings of such Board in which he may have taken part.

Guardians' acts not invalidated by defect in Qualification of any Member of Board.

APPOINTMENT OF UNION OFFICERS.

31. And be it enacted, that it shall be lawful for the Commissioners, as and when they shall see fit, by their Order, to direct the Guardians of any Union, or of so many Unions as the Commissioners may in such Order specify and declare to be united for the Purpose of appointing and paying Officers, to appoint such paid Officers, with such Qualifications as the Commissioners shall think necessary, for superintending, acting, or assisting in the Election of Guardians^b, in the Surveying and

Paid Officers to be appointed by Board of Guardians.

^a Under § 73, the Collector's Warrant for the collection of the rates is to be issued by the Guardians "under their Seal" (p. 56).

^b Under the 88th section, the Commissioners may themselves appoint the Returning Officer and Assistants in the Election of Guar-

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

Commission-
ers to pre-
scribe the
Duties, Sala-
ries, &c. of
paid Officers.

Valuation of Property to be rated, in the Collecting of Rates to be made for the Purposes of this Act, in the Administration of the Relief and Management of the destitute Poor, and otherwise carrying the Provisions of this Act into Execution^a; and the Commissioners may and they are hereby empowered to define, specify, and direct the Execution of the respective Duties of such Officers, and the Places or Limits within which the same shall be performed, and direct the Mode of the Appointment and determine the Continuance in Office or Dismissal of such Officers, and the Amount and Nature of the Security to be given by such of the said Officers as the Commissioners shall think ought to give Security^b; and, when the Commissioners may see Occasion, from Time to Time, to regulate the Amount of Salaries or Allowances payable to such Officers respectively, and the Time and Mode of Payment thereof, and the Proportions in which such respective Unions shall contribute to such Payment.

Salaries
charged on
Rates.

32. And be it enacted, that the Salaries of all such Officers, and the Salaries of Audi-

dians, —(p. 67; and see Election Regulations and Instructions, in Part II. 1.).

^a But the Commissioners are themselves empowered to appoint the Workhouse Chaplains, by § 48 (p. 38), and the Returning Officer and Assistants for Elections, by § 88 (p. 67): and under § 95 (p. 74), they are to appoint the Auditors of Accounts: § 66 (p. 51), and 6 & 7 Vic. c. 92, § 7 (p. 112), enable them to appoint a Valuator or Revisor of Valuation: but the General Tenements Valuation Act of 1852, 15 & 16 Vic. c. 63, (Part I. 3,) now provides for the making and revision of a Valuation under the direction of the General Valuation Commissioner, wherever that act has yet been acted upon.

In case the Guardians do not make an appointment to fill up a vacancy caused by dismissal of an officer whom the Guardians are empowered to appoint, the Commissioners may fill up such vacancy (§ 33, p. 25).

The Commissioners may also appoint paid Guardians (§ 25, 26, p. 19, 20), and Assistant Guardians (§ 9 of 12 & 13 Vic. c. 104, p. 191), in certain cases.

^b See as to the appointment, duties, &c., of Officers to be appointed by the Guardians, in General Regulations and other Orders in Part II.

ters^a, Returning Officers, and all paid Officers whom the Commissioners are by this Act directly empowered to appoint^b, and of the Chaplains of Workhouses appointed under this Act^c, shall be chargeable on and payable out of the Poor Rates of such Union or Unions, or of any Electoral Division comprised therein, in the Manner and Proportions fixed by the Commissioners; and the Guardians of any such Union are hereby empowered and required to raise by Rate such Sums as shall be sufficient to pay such Salaries, or its proportionate Part thereof.

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c. 56,
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33. And be it enacted, That the Commissioners may and they are hereby authorized and empowered, as and when they shall think proper, by their Order, either upon or without any Suggestion or Complaint in that Behalf from the Guardians of any Union, to remove any paid Officer appointed under the Provisions of this Act, whom they shall deem unfit for or incompetent to discharge the Duties of any such Office, or who shall at any Time refuse or neglect to obey and carry into effect any of the Orders of the Commissioners; and to require from Time to Time the Persons competent in that behalf to appoint a fit and proper Person in his Room: and in case of the Refusal or Neglect of the Persons competent to appoint, or in case the Officer removed shall be an Officer whom the Commissioners are by the Provisions of this Act directly empowered to appoint^b, the Commissioners are hereby authorized to appoint a fit and proper Person in the Room of the Per-

Removal of
paid Officers
by the Com-
missioners.

Appoint-
ment of their
Successors.

Commis-
sioners may
fill up
vacancies in
certain cases.

^a The salaries and expenses of the Auditors are now voted annually in Parliament, and paid in the same manner as the salaries and expenses of the Poor Law Commission, and are not charged on the poor rates.

^b See note ^a on § 31 (p. 24).

^c Under § 48 (p. 38).

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Officers
removed
incompetent
to be re-
appointed,
except with
Commission-
ers' Consent.

son so removed; and any Person so removed shall not be competent to be appointed to or to fill any paid Office connected with the Relief or Management of the destitute Poor, in any Union, except with the Consent of the Commissioners.

WORKHOUSES, &c.

Workhouses,
Houses of
Industry, and
Foundling
Hospitals,
vested in the
Commission-
ers.

34. And be it enacted, That when any Union shall have been declared, every House of Industry, Workhouse, and Foundling Hospital, which has been either wholly or in part supported by Parliamentary Tax, Grant, Grand Jury Aid, or by any compulsory Rate or Contribution, situate within the Limits of such Union, and all Lands, Tenements, and Hereditaments, and Real Property, and Chattels Real, and the Produce of any Tax, of and belonging thereto, shall vest in the Poor Law Commissioners for the Time being^a, according to the Nature and Quality, Estate and Interest, of and in the same Property and Premises respectively, and subject to the Debts, Charges, and Incumbrances affecting the same respectively, and to the Repayment of any Advances which, conformably with previous Usage, have been made for the lawful Purposes of any such House of Industry, Workhouse, or Foundling Hospital^b; and that upon the Death, Resignation or Removal of the present Commissioners, or any or either of them, or of any future Commissioner or Commissioners, all such Property and Premises shall be vested in and be held by the

^a Property transferred by 10 & 11 Vic. c. 90, § 10, to the Commissioners appointed under that Act (p. 161).

^b Power to sell property vested in the Commissioners is given by § 40 (p. 32), which also makes provision for the application of the proceeds: and see further, in 4 & 5 Vic. c. 41 (Part I. 3), and provision therein for the payment of Debts or Charges on Houses of Industry, &c. vested in the Commissioners.

succeeding Commissioners, jointly with the continuing Commissioner or Commissioners, if any there be, and so in perpetual Succession, in Trust for the several Purposes for which the same are respectively applicable, but subject nevertheless to the Powers and Provisions of this Act: and every such House of Industry, Workhouse, or Foundling Hospital, shall, if and when the Commissioners shall so direct, be a Workhouse of the Union in which the same may be situate^a; but every such House of Industry, Workhouse, or Foundling Hospital, shall, subject always to the Control and Orders of the Commissioners, be maintained and supported in the Manner in which the same is now by Law maintained and supported, until the Commissioners shall by Order otherwise direct: Provided always, that such Commissioners shall take Measures for the gradual Reduction of the Number of the Inmates in such Foundling Hospitals, and from Time to Time shall direct so much only of any such Tax as aforesaid to be levied^b for the Support of such Foundling Hospital and the Inmates therein, as may appear to them to be thenceforth necessary for such Support, due Regard being had to the Welfare and Protection of the Objects of the Charity.

35. And be it enacted, That the Commissioners may, from Time to Time as they may see fit, build or cause to be built a Workhouse

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IRISH POOR
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1838.

Houses of
Industry, &c.
may be de-
clared Union
Workhouses:
but may be
supported as
heretofore.

Inmates of
Foundling
Hospitals
to be
reduced.

Workhouses
to be pro-
vided by the
Commis-
sioners.

^a The old Houses of Industry in Dublin and Clonmel were converted into Workhouses for the North Dublin and the Clonmel Unions respectively; and the Foundling Hospital, Dublin, for the South Dublin Union.

^b See also § 45 (p. 36). The house duties for the support of the Foundling Hospital in Dublin were abolished by the Act of 11 & 12 Geo. 3, c. 11 (I.); and the duty on coals and culm, heretofore levied for the support of the Cork Foundling Hospital, has been from time to time reduced under this act by the Commissioners, and now finally terminated and abolished, the institution having been closed as a Foundling Hospital and applied to other purposes.

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C. 56,
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1838.

or Workhouses^a for any Union not having a Workhouse, or purchase or hire Land of any Tenure for the Purpose of building the same thereon, and may purchase or hire a Workhouse or Workhouses, or any Building or Buildings for the Purpose of being used as or converted into a Workhouse or Workhouses : and in the Case of any Union having a Workhouse or Workhouses, or any Buildings capable of being converted into a Workhouse or Workhouses, may enlarge or alter the same in such Manner as the Commissioners shall deem most proper for carrying the Provisions of this Act into execution ; and may build, hire, or purchase any additional Workhouse or Workhouses^a, or any Building or Buildings for the purpose of being used as or converted into a Workhouse or Workhouses, and may purchase^b or hire any Land for building such additional Workhouse or Workhouses thereon, of such Size and Description, and according to such Plan, and in such Manner, as the Commissioners shall deem most proper for carrying the Provisions of this Act into Execution ; and may also purchase or hire any Land not exceeding Twelve Acres Imperial Measure^c, to be occupied with any such Workhouse ; and may order and direct the Guardians of any Union to uphold and maintain any Workhouse^d, and to furnish and fit up any Workhouse, and to provide any Utensils, Instruments, or Machinery for setting the Poor to work therein : and the Guardians of

Land may be
purchased or
hired with
Workhouses.

Guardians
to uphold
Workhouses,
&c.

Guardians to
raise Money

^a There may be more than one Workhouse in the same Union : and the Guardians are to furnish and fit up, to uphold and maintain the same, and to provide utensils for setting the poor to work ; see later portion of this section, and Workhouse Rules, Article 62 (Part II. 3). The lands and buildings are vested in the Commissioners.

^b For a Form of Conveyance, see 2 Vic. c. 1, § 7 (p. 101, 104).

^c See powers to take additional land, and build thereon, &c., in 10 Vic. c. 31, § 20-24 (p. 142-147), and 11 & 12 Vic. c. 25 (p. 169).

^d See Commissioners' Workhouse Rules, Article 62 (Part II. 4).

every Union are hereby authorized and required to assess, raise, and levy such Sum or Sums of Money, for the Purposes herein-before specified, as the Commissioners shall from Time to Time direct, as a Poor Rate, in the Manner herein-after provided^a, or to borrow Money for such Purposes under the Provisions of this Act, and to charge the same with Interest, on the future Poor Rate of such Union^b; and all Lands and Buildings so purchased or hired shall be conveyed or taken to the Commissioners for the Time being^c, and shall vest in the succeeding Commissioners in perpetual Succession, in the same Manner as herein-before provided^d concerning Workhouses in Unions at the Time of the Declaration thereof.

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c. 36,
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1838.

for these purposes, as the Commissioners may direct.

36. Provided always. and be it enacted, That after the Period at which the Commissioners shall have declared the Workhouse of the Union fit for the Reception of destitute Poor, it shall not be lawful for the Commissioners to direct the Expenditure in such Union, of any Sum or Sums of Money exceeding Four Hundred Pounds, for any of the Purposes aforesaid, without the previous Consent in Writing of a Majority of the Guardians of such Union, except for the Completion of Buildings already in part erected according to the Plan or Plans originally sanctioned by the Commissioners and deposited with the Clerk of the Union.

Consent of Guardians required for Expenditure in building, of more than £400, after a Workhouse shall be habitable; except for Completion of Buildings.

37. And be it enacted, That it shall be lawful for all Corporations, Tenants in Tail, Tenants for Life, or for any other partial or qualified Estate or Interest, other than Lessees rendering Rent, and not holding for a Life or

Incapacitated Persons empowered to convey.

^a See § 61 (p. 47) *et seq.*

^b As to loans for providing, furnishing, and fitting up Workhouses, see § 89, 90, and notes thereon (p. 68-70).

^c See a Form of Conveyance, 2 Vic. c. 1, § 7 (p. 101, 104).

^d See § 34 (p. 26); and 10 & 11 Vic. c. 90, § 10 (p. 161).

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1838.

Lives with Covenants for perpetual Renewal, Husbands, Guardians, Trustees for the Association for the Suppression of Mendicity and for other voluntary Associations, and the Trustees and Feoffees in Trust for charitable or other Purposes, Committees, Executors, and Administrators, and all Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of all Persons, if incapacitated, entitled in Reversion, Remainder, or Expectancy after them, and for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons, and to and for all Femes Covert seised and possessed of or interested in their own Right or entitled to Dower or other Interest in, and for all other Persons whatsoever seised or possessed of or interested in, any Lands, Tenements or Hereditaments which may be required by the Commissioners for the Purposes of this Act, to contract for, sell, and convey the same or any part thereof to the Commissioners; and all such Conveyances as aforesaid shall be valid and effectual in the Law to all Intents and Purposes, and shall operate to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Estates, Interest or Interests so thereby conveyed or aliened, and to bar and destroy all Estates Tail, and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever of and in the same.

Provisions
for Purchase
of Sites.

7 Geo. 4, c.
74, § 28-32.

38. And be it enacted, That all and every of the Provisions of an Act passed in the Seventh Year of his late Majesty King *George the Fourth*, intituled *An Act for consolidating and amending the Laws relating to Pri-*

sons in Ireland, which affect or relate to the Lodgment, Payment, and Application of the Purchase Money of the Lands purchased or taken under the said last-mentioned Act, or to Petitions to the High Court of Chancery in *Ireland*, and the Orders of the said Court relative thereto, or to any Payments of Purchase Money, or to any Rights and Titles of Parties interested^a, shall be held to apply to the Lodgment, Payment, and Application of the Purchase Money of Lands, Tenements, or Hereditaments to be purchased or taken for the Purposes of this Act, and to the Rights and Titles of Parties interested therein: Provided always, that every Act in relation to the Matters aforesaid, whereto the Concurrence or Signatures of Three of the Commissioners of Works in the said Act mentioned are required, shall and may be done by and under the Hand of any One of the Poor Law Commissioners.^b

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c. 56,
IRISH POOR
RELIEF ACT,
1838.
—

39. Provided always, and be it enacted, That in every Case in which the Amount of Price of any Lands, Tenements, or Hereditaments, or of any Compensation, shall be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant-General of the Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, in manner provided by the said Act of the Seventh Year of the Reign of King *George* the Fourth, such Payment, and every Contract and Agreement in pursuance whereof it was made, shall be good to all In-

Where
Purchase
Money is
paid into the
Bank, the
Commis-
sioners not
required to
see to the
Application
thereof.

7 Geo. 4, c. 74.
Prisons Act.

^a Irish Prisons Act, 7 Geo. 4, c. 74, § 28-32: (Part I. 3.) The provisions of the Lands Clauses Consolidation Act, 1845 (8 & 9 Vic. c. 18), have since been incorporated with the Irish Poor Relief Acts, for the purpose of enabling the Commissioners to purchase or hire lands, &c. for providing Workhouses in Unions: see 12 & 13 Vic. c. 104, § 5 (p. 189).

^b See § 9 of 10 & 11 Vic. c. 90 (p. 160).

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c. 56,
IRISH POOR
RELIEF ACT,
1838.

tents and Purposes; and the said Commissioners shall not be bound to see to the Application thereof, nor shall such Contract or Conveyance be in anywise vitiated by reason of any Defect of Title of the Person or Corporation so contracting or conveying; and that in every Case in which Purchase Money shall be so paid into the Bank of *Ireland*, the said Court of Chancery shall have the Power of ordering the Distribution thereof, or Payment of the Dividends thereof, as in the last-mentioned Act^a is provided for the Care of Money paid into the said Bank, in Manner aforesaid, to the Credit of the Parties interested in Lands taken under the Provisions of the said Act^b.

Commis-
sioners may
sell Lands
or Heredita-
ments;

40. And be it enacted, That it shall be lawful for the Commissioners for the Time being, when they shall think fit, to sell^c any Lands, Tenements, or Hereditaments which may be purchased by or become vested in them by or under the Authority of this Act^d, and to convey the same as the Purchasers shall direct; and the Receipt of any Two of the Commissioners^e, or of any Person to whom the Purchase Money shall be paid by their Direction, shall be sufficient Discharge for such Purchase Money; and such Purchase Money shall be applied by the Commissioners in the Purchase of other Lands, Tenements, or Hereditaments to be held upon the like Trusts with the Hereditaments from the Sale of which such Money shall have arisen, or in such Manner as the Commissioners shall think advisable for the Benefit of the Union or Institution for the Benefit or Purposes of which

Application
of Purchase
Money:

^a Prisons Act, 7 Geo. 4, c. 74 : and see note ^a on § 38 (p. 31).

^b See further provisions in 2 Vic. c. 1, § 7, 8 (p. 101-2).

^c For a Form of Conveyance, see 2 Vic. c. 1, § 7 (p. 101, 104).

^d See § 34, 35 (p. 26, 29).

^e See § 9 of 10 & 11 Vic. c. 90 (p. 160).

such Hereditaments shall have been holden^a: Provided always, that it shall not be lawful for the Commissioners to sell the Workhouse of any Union without the Consent of the Majority of the whole Number of the Guardians of such Union.

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c. 56.

but Union
Workhouse
not to be
sold without
consent of
Guardians.

RELIEF.

41. And be it enacted, That when the Commissioners shall have declared any Workhouse of any Union to be fit for the Reception of destitute Poor, and not before, it shall be lawful for the Guardians, at their Discretion, but subject in all Cases to the Orders of the Commissioners^b, to take order for relieving and setting to work therein, in the first place such destitute poor Persons as by reason of old Age, Infirmary, or Defect, may be unable to support themselves, and destitute Children; and in the next place, such other Persons as the said Guardians shall deem to be destitute Poor, and unable to support themselves by their own Industry or by other lawful Means^c: Provided always, that in any Case where there may not be sufficient Accommodation for the Relief of all the Persons applying for Relief whom the Guardians shall deem to be destitute Poor, the Guardians shall relieve such of the said Persons as may be resident in the Union before or in preference to those who may not be so resident^d.

Relief and
Work to be
provided in
Workhouses,
by the Guar-
dians.

If the
Workhouse
accommoda-
tion be insuf-
ficient for all
applicants,
the resident
Poor to be
preferred.

^a As to appropriation of proceeds of sale of Houses of Industry, &c., see further, in 4 & 5 Vic. c. 41, § 4 (Part I. 3).

^b See General Regulations and Workhouse Rules (Part II. 2, 3), &c. By a proviso in § 3 (p. 5), the Commissioners are precluded, however, from interfering to order relief in individual cases.

^c The Act 6 & 7 Vic. c. 92, also provides for the relief of deaf and dumb or blind in Institutions for the purpose, Fever Patients, &c. § 14-16 (p. 120-1): and provision has since been made for the relief of destitute Poor out of the Workhouse, under certain limitations, in 10 Vic. c. 31 (p. 128); and for affording medical relief by means of Dispensaries supported out of the poor rate, under 14 & 15 Vic. c. 68 (p. 207). Under other laws, separate provision is made for the maintenance of Foundlings or Deserted Children: see enactments in this behalf, in Part II. 3.

^d See 10 Vic. c. 31, § 1, 2 (p. 128-9).

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c. 56,
IRISH POOR
RELIEF ACT,
1838.

Books to be
provided for
Registry of
Paupers.

42. And be it enacted, That the Commissioners shall cause to be printed, for the Use of every Union, a sufficient Number of Register Books for making Entries of the Descriptions of Persons admitted into and relieved in the Workhouse, according to the Form in the First Schedule to this Act annexed^a; and in such Register Books shall be printed upon each Side of every Leaf the Heads of Information herein required to be registered respecting the Persons so to be admitted and relieved, together with such other Particulars as the Commissioners may prescribe^a; and every Page of each such Book shall be numbered progressively from the Beginning to the End, beginning with Number One; and every Place of Entry shall be also numbered progressively from the Beginning to the End of the Book, beginning with Number One; and every Entry shall be divided from the following Entry by a printed Line.

Master of
the Work-
house to
register the
Persons ad-
mitted and
relieved.

43. And be it enacted, That the Commissioners shall furnish to every Board of Guardians, for the Use of the Master or other principal resident Officer^b of every Workhouse, one of such Register Books, at a reasonable Price, the Cost whereof shall be borne by the Union in which such Workhouse shall be situate; and every such Master or Officer^b shall, as soon as conveniently may be, register in the said Book the Particulars required to be registered according to the Form in the said First Schedule^a, touching every Person

^a Workhouse Register, Schedule, p. 96. And see Regulations and Forms prescribed by the Commissioners, for Workhouse Register under this act, and for Out-door Relief Register under 10 Vic. c. 31. § 11, in Accounts Order, (Part II. 4 :)—Workhouse Register, Form 6 in that Order.

^b Under § 11 of 10 Vic. c. 31 (p. 134), the Clerk of the Union is to keep the Register of persons relieved out of the Workhouse, in form prescribed by the Commissioners in their Regulations, (Accounts Order, Part II. 4, Form 19).

to be admitted into and relieved in such Workhouse; and such Register Book shall be produced at every Meeting of Guardians for their Examination, Approval, or Correction, and, when so approved or corrected, shall be signed by the Chairman, and countersigned by the Clerk.

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c. 56,
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RELIEF ACT,
1838.

44. And be it enacted, That the Board of Guardians of every Union shall cause Accounts to be kept of the Expense incurred in respect of the Persons relieved in any Workhouse within such Union; and such Accounts shall be made up at the End of every Six Calendar Months^a: and the Board of Guardians shall charge against the Electoral Division as formed by virtue of this Act^b, at the End of such Period, the Proportion of such Expense as shall appear to have been incurred in respect of every Person so relieved, who shall be stated in the Registry to have been resident within such Electoral Division^c; and the Expense incurred in respect of every Person so relieved and not stated in the Registry to have been resident within some Electoral Division of the Union shall be borne by and charged against the whole Union: Provided always, that from and after the expiration of Three Years from the Period at which the Commissioners shall have declared the Workhouse of the Union fit for the Reception of destitute Poor, it shall

Accounts
to be kept
of Expenses
incurred in
respect of
Persons
relieved.

Expense of
Paupers
to be charged
against
respective
Electoral
Divisions;
or against
the Union
at large.

After 3 years,
Electoral
Divisions
may bear
Charges in
common:

^a General Order containing Regulations for keeping Accounts, in Part II. 4.

^b § 18 (p. 13).

^c See § 12 of 6 & 7 Vic. c. 92 (p. 119), which supersedes this, and is superseded by § 12 of 10 Vic. c. 31 (p. 135), and § 1 of 12 & 13 Vic. c. 104 (p. 184), which contains the provisions regulating for the future the mode of charging Paupers, and defines what is to be deemed Residence with that view. The 13th section of 6 & 7 Vic. c. 92, provides an appeal against the decision of a Board of Guardians as to residence, in the case of a pauper charged against any Electoral Division (p. 120); in the same manner as appeals may be made under § 106 of 1 & 2 Vic. c. 56 (p. 83).

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c. 56,
IRISH POOR
RELIEF ACT,
1838.

mode of
agreeing for
this Purpose.

be lawful for the Guardians elected for any two or more Electoral Divisions within such Union, by Writing under their Hands, to agree that all Charges in respect of destitute poor Persons resident within such Electoral Divisions respectively shall thenceforth be borne in common by such Electoral Divisions: and in such Case, such Agreement, having being first signed by the said Guardians, shall be signed and sealed by the Commissioners, if after due Inquiry made by them they shall approve of the same, and one Part thereof deposited with the Commissioners, and a Counterpart or Counterparts thereof, signed by the said Guardians, and signed and sealed by the Commissioners, deposited with the Clerk of the Peace of the County in which the Workhouse of such Union shall be situate; and every such Clerk of the Peace shall and is hereby required, upon the Receipt of such Agreement, Part, or Counterpart, to file the same with the Records of such County; and from and after the depositing of such last-mentioned Agreement or Counterpart, the same shall be binding upon such Electoral Divisions, and shall not be revoked or annulled, unless at the Desire of the Guardians elected for such two or more Electoral Divisions, and with the Consent of the Commissioners, or unless the Commissioners shall alter any one or more of such Electoral Divisions^a, any thing herein-before contained to the contrary notwithstanding.

REPEAL OF ACTS AS TO HOUSES OF INDUSTRY, &c.

After Work-
house
completed,
Commis-
sioners may
determine
the Powers

45. And be it enacted, That when the Commissioners shall have declared any Workhouse of any Union to be fit for the Reception of destitute Poor, it shall be lawful for

^a As to alteration of Unions and Electoral Divisions, see § 16, 18 (p. 11, 13); and § 2 of 12 & 13 Vic. c. 104 (p. 185).

them, if they shall so think fit, to direct that so much of the Provisions of all General and Local Acts made before the passing of this Act, in any way relating to the Relief of Poor in Workhouses, Houses of Industry, and Foundling Hospitals, which shall have vested in the said Commissioners under the Provisions of this Act^a, or to any Presentment, Tax, or Contribution in respect of such Relief, shall, as regards such Union, cease and determine^b.

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c. 56,
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RELIEF ACT,
1838.

—
of former
Acts as to
Houses of
Industry and
Foundling
Hospitals.

MEDICAL CHARITIES.

46. And be it enacted, That the said Commissioners shall, so soon as conveniently may be after the Formation of any Union, make or cause to be made strict Inquiry into the State of the several Fever Hospitals, Dispensaries, or Institutions for the Relief of the sick or convalescent Poor, whether as intern or extern Patients, existing within the Limits of such Union, and into the Nature and Extent of the Relief so afforded; and the Commissioners shall report thereupon to One of Her Majesty's Principal Secretaries of State^c; and in such Report they shall set forth the Number of Hospitals or Dispensaries which in their Opinion ought to be provided for the Relief of the sick and convalescent Poor, in addition to such Workhouse or Workhouses as aforesaid, and also an Estimate of the Sum or Sums which will be annually required for defraying the Expenses of such additional Hospitals or Dispensaries.

Commis-
sioners to
inquire into
Medical
Charities in
any Union
formed :

and report
Result, stat-
ing the Num-
ber and
Expense of
additional
Hospitals,
&c. required.

^a See § 34 (p. 26).

^b See as to termination of taxes for support of the Dublin and Cork Foundling Hospitals, note ^b in p. 27.

^c Reports on the Medical Charities in all the Unions in Ireland were made in pursuance of these provisions, and published in 1841-2. And the Commissioners reported further on the same subject after Inquiry under the provisions of the Dispensaries Act of 1851 (14 & 15 Vic. c. 68, § 18, p. 222), in their Second Annual Report (1854) under § 20 of that Act.

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c. 56,
IRISH POOR
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1838.

Commis-
sioners em-
powered to
inspect Hos-
pitals and
Infirmaries,
and give
Directions
as to their
Manage-
ment.

47. And be it enacted, That the Commissioners shall and are hereby authorized from Time to Time to inspect and examine into the Administration of any Hospital or Infirmary supported in part by Grand Jury Presentments or Parliamentary Grants; and with the Concurrence of the Governors of such Hospital or Infirmary, to give such Directions for the better and more effective Management thereof as the said Commissioners shall think fit, and to cause the same to be recorded in the Books of such Hospital or Infirmary.

RELIGIOUS SERVICE IN WORKHOUSES.

Religious
Service to
be performed
in Work-
houses, and
Chaplains
to be ap-
pointed.

48. And be it enacted, That the Commissioners shall take order for the due Performance of Religious Service in such Workhouses^a, and for appointing fit Persons to be Chaplains for that Purpose, to hold their respective Offices during the Pleasure of the Commissioners; but nothing herein contained shall authorize the Commissioners to appoint or direct the Appointment of more than One fit Person being in Holy Orders and of the Established Church, One other fit Person being a Protestant Dissenter, and One other fit Person being a Priest or Clergyman of the Roman Catholic Church, to be Chaplain or Chaplains at any One Time in any such Workhouse: and the Commissioners shall fix and from Time to Time regulate the Salary of such Chaplain or Chaplains: Provided always, that in the Appointment of such Chaplain, Preference shall be given to some Clergyman of the Established Church officiating within the Parish in which such Workhouse shall be

^a See Commissioners' Workhouse Rules, Chaplains' Duties, &c., articles 32-37, 69, (Part II. 3). Additional provisions are contained in § 19 of 10 Vic. c. 31 (p. 142).

situated, if duly qualified, and in like Manner to some Dissenting Minister, and some Clergyman of the Roman Catholic Religion, if duly qualified, acting as such within the said Parish.

49. And be it enacted, That no Order of the Commissioners nor any Bye-Law shall oblige any Inmate of any Workhouse to attend or be present at any Religious Service which may be celebrated in a Mode contrary to the Religious Principles of such Inmate; nor shall authorize the Education of any Child in such Workhouse in any Religious Creed other than that professed by the Parents or surviving Parent of such Child, and to which such Parents or Parent shall object; or in the Case of an Orphan, to which the Guardian or Guardians, Godfather or Godmother of such Orphan shall object: Provided also, that it shall be lawful for any regular Minister of the Religious Persuasion of any Inmate of such Workhouse at all Times in the Day, on the Request of such Inmate, to visit such Workhouse for the purpose of affording Religious Assistance to such Inmate, and also for the purpose of instructing his Child or Children in the Principles of his Religion^a.

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No Inmate
of Work-
house
obliged to
attend Re-
ligious Ser-
vice con-
trary to his
Principles.

Minister may
attend any
Inmate at
Request of
the latter.

WARDENS.

50. And be it enacted, That it shall be lawful for the Board of Guardians of every Union, within One Month after the annual Election of Guardians^b, to appoint a fit Person in each Parish or Townland, or any Part thereof respectively, included in such Union, to be and be styled the Warden^c for such Parish, Town-land, or Part thereof: and such

Wardens to
be appointed;

for One Year:

^a Workhouse Rules, (in Part II. 3,) articles 32-37, 69.

^b Under § 20.

^c Wardens are not paid Officers. There is no provision in the act for the payment of these officers, and § 93 expressly specifies a Warden as distinguished from a paid Officer (p. 72).

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c. 56,
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1838.

Functions
of Wardens.

Warden shall hold his Office for One Year, and may be re-appointed thereto; and shall provide for the Conveyance to the Workhouse of any such destitute Poor Persons within such Parish, Townland, or Part thereof, as the Guardians shall direct, and shall perform such other Duties in relation to the Purposes of this Act as the Orders of the Commissioners shall prescribe^a; and shall, when required by the Guardians, attend the Meetings of their Board, and report to them from Time to Time the State of the Poor within such Parish, Townland, or Part thereof, and the Increase or Diminution of Mendicancy therein, and such other Particulars in relation to the condition of such Parish, Townland, or Part thereof, as he may think fit, or as the Board of Guardians shall require.

EMIGRATION.

Commis-
sioners upon
Application,
may autho-
rize meeting
for assisting
Emigration:

mode of
proceeding.

51. And be it enacted, That it shall be lawful for the Commissioners, when they shall think fit, upon Application from the Guardian or Guardians of any Electoral Division, to direct a Meeting of the Rate-payers^b of such Division to be held, after Fourteen Days' previous Notice given and published in such Form and Manner as the Commissioners shall direct, at some Place within the Division to be named in such Notice; at which Meeting, the Guardian of the Division, or if there be more than One, such One of the Guardians present as shall have been first named in the Return^c for such Electoral Division, (and in the Absence of any

^a As to Duties of Wardens under the Irish Poor Relief Acts, see Commissioners' General Regulations, (Part II. 2): and as to their power to afford Medical Relief under the Dispensaries Act see § 9 of 14 & 15 Vic. c. 68 (p. 213), and Commissioners' Dispensary Regulations, (Part II. 9).

^b For definition of Rate-payers, see § 80 (p. 61).

^c Under § 88 (p. 67).

such Guardian, some Rate-payer to be elected by the Majority present at the Meeting,) shall be Chairman; and if at any such Meeting, the Majority in Value of the Rate-payers present shall agree to and sign an Application to the Commissioners for the raising of a Rate to assist Emigration, it shall be lawful for the Commissioners from Time to Time, by Orders under their Seal, to direct the Guardians to raise such Sums as the Commissioners shall think requisite for assisting Emigration, such Sums not to exceed in any One Year One Shilling in the Pound upon the net annual Value of the rateable Property of such Division: and the Sums in such Orders mentioned shall be raised by the Guardians by a Rate under this Act on such Division, or by a Charge on the future Rates^a of such Division, so that One Fifth at least of the whole Sums so to be raised under any such Order shall be paid in the first and each subsequent Year until the whole shall be discharged; and the Sums so raised shall be applied, under the Directions of the Commissioners, by the Guardians of the Union, in conducting or assisting and in defraying the Expenses connected with the Emigration to *British Colonies*, of poor Persons resident in such Division_b.

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c. 56,
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1838.

Limitation
of Expense
for Emigra-
tion under
this Act.

APPLICATION OF RATES.

52. And be it enacted and declared, That it shall not be lawful for the Commissioners,

Money raised
under this
Act, not to

^a Provisions as to raising or borrowing money under a charge upon the Rates, § 89-91 (p. 68-71).

^b This section authorizes the Commissioners, on application, to order Rates for Emigration, from time to time, as may be necessary, but limited as prescribed. Provisions as to the Emigration of persons in the Workhouse, are contained in 6 & 7 Vic. c. 92, § 18 (p. 121): and the provisions as to Emigration in both of these Acts are further extended by 10 Vic. c. 31, § 13-15 (p. 135-138): and by 12 & 13 Vic. c. 104, § 26-28 (p. 202-5): under the last of these provisions, Emigration to Foreign States as well as to British Colonies is sanctioned.

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c. 56.

be applied to
any other
Purposes
than are
expressly
provided for
in the Act.

or any Guardians or other Persons acting in the Execution of this Act, to apply, directly or indirectly, any Money raised under the Authority of this Act, to the Relief of destitute Poor in any other Manner than is herein expressly mentioned, or to any Purpose not expressly provided for in this Act^a.

LIABILITIES OF PAUPERS AND THEIR RELATIONS.

Husband to
maintain his
Wife and his
and her Chil-
dren, until 15
Years of Age.

Fathers,
Widows, and
Mothers of
Bastards, to
maintain
their Chil-
dren, until
age of 15.

53. And be it declared and enacted, That for the Purposes of this Act, every Husband shall be liable to maintain his Wife and every Child under the Age of Fifteen, whether legitimate or illegitimate, which she may have had at the time of her Marriage with such Husband^b; and every Father shall be liable to maintain his Child, and every Widow to maintain her Child, and the Mother of every Bastard Child to maintain such Bastard Child, until every such Child respectively shall attain the Age of Fifteen Years: Provided always, and be it declared, that nothing herein contained shall be taken to remove or lessen the Obligations to which any Husband or Parent is by Law liable in regard to the Maintenance of his Wife or Children, legitimate or illegitimate respectively, independently of this Act.

^a See § 94, 95, as to the disallowance and recovery of payments contrary to the Act (p. 73-5): and further provision for recovery of sums disallowed by the Auditor, in 10 Vic. c. 31, § 28 (p. 149). The 6 & 7 Vic. c. 92, 10 Vic. c. 31, 11 & 12 Vic. c. 25, 14 & 15 Vic. c. 68, and other statutes hereafter inserted, impose additional charges on the Poor-rates.

^b A case having been laid before the Right Hon. F. Blackburne, when Attorney-General for Ireland, on this clause, the following opinion was given by him thereon:—

“The 53rd section enacts, that every husband shall be liable to maintain his wife, and shall be so for the purpose of this Act. I therefore think that a husband cannot set up any justification of his desertion of her, when he is sued or proceeded against by virtue of any clause in this statute. I think evidence that a man and woman lived together, and were reputed to be man and wife, is admissible to prove them legally married.

“The King *v.* Flinton, 1 Ad. and E., 227, was decided in the absence of liability at *Common Law*; but here, for all the purposes of the Act, liability exists, even though there was an end of it at *Common Law*.

“F. BLACKBURNE.—22 Feb. 1842.”

54. And be it enacted, That all Relief given under this Act to a Wife or Child^a shall be considered as given to the Person declared by this Act^b to be liable to maintain such Wife or Child^c.

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c. 56.

Relief to
Wife or Child
is Relief to
Person liable
to maintain
them.

55. And be it enacted, That the Cost Price of any Relief which the said Commissioners shall by any Order declare or direct to be given by way of Loan^d, shall be and the same is hereby declared to be a Loan from the Guardians of the Union in which the same shall be given, and shall be recoverable from the Person to whom the same shall be given, or considered as given under this Act^e, by such and the same Actions and Proceedings as Money lent.

Relief may
be declared
to be a Loan;

recoverable
from Person
relieved.

56. And be it enacted, That when any Relief shall have been given to any Person entitled to or in Receipt of any Pension, Superannuation, or other Allowance in respect of his Service in the Navy, Royal Marines, Army, or Ordnance, or to his Wife, or to any Child whom he may be liable to maintain^e, it shall be lawful for the Guardians, by Minute, stating the Particulars of the Relief so given and the Person to whom given, to require that the next Payment which shall become due of such Pension or Allowance shall be made to such Guardians; and such Guardians shall transmit a Copy of such Minute, attested by their Clerk, at least One Month before such Payment shall become due, addressed to Her Majesty's Paymaster General, provided the Pension or other Allowance shall have

Pensions,
&c., payable
to Guardians
in repayment
of Relief to
Pensioners.

^a See note ^b on § 53 (p. 42).

^b § 53.

^c The provisions of this section are extended to relief given under 10 Vic. c. 31, by § 8 of that act (p. 133).

^d As to Relief by way of Loan, see Commissioners' General Regulations, article 23 (Part II. 2).

^e See § 53, 54.

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been granted for Service in the Navy or Marines,—or to the Commissioners of *Chelsea* Hospital, provided the Pension or other Allowance shall have been granted for Service in the Army or Ordnance,—with the Words “*Chelsea* Pensioner” or “*Greenwich* Pensioner,” (as the Case may be,) written thereon; which said Paymaster General shall thereupon, and upon sufficient Proof being given to the Satisfaction of the Paymaster General or Commissioners of *Chelsea* Hospital respectively, that the Person whose Pension or other Allowance shall be so required to be paid shall be living when the same shall become payable, and would have been otherwise entitled to receive the same, cause Payment to be made to such Guardians; and the said Guardians so receiving any Pension or Allowance shall retain and apply so much thereof as will repay the Cost of Relief actually given as aforesaid, for the Use and Indemnity of the Union, and shall pay the Surplus, if any, to the Pensioner or Person entitled thereto; and upon the Receipt of any such Minute as aforesaid, the Payment of the Pension or other Allowance mentioned therein shall be suspended until sufficient Proof shall have been given to entitle the Guardians named in such Minute to receive the Money thereby required to be paid to them^a.

Children
liable to
maintain
Parents:

57. And be it enacted, That where any poor Person shall, through old Age, Infirmary, or Defect, be unable to support himself, every Child of such poor Person shall be liable, according to his Ability, to support or contri-

^a See provisions of subsequent Act of 9 & 10 Vic. c. 10, as to agreements for repayment of relief or advances to Pensioners (Part I. 3). See also provisions of the Merchant Shipping Act, 1854, (17 & 18 Vic. c. 104, § 192, 193,) for reimbursement of relief afforded out of the poor-rates to the families of Seamen in the Merchant Service (Part I. 3).

bute to support such poor Person^a; and in case Relief shall be given under this Act to any poor Person whose Child shall be liable to support him or contribute to his Support, it shall be lawful for any Two Justices of the Peace of the Jurisdiction within which such Child may dwell, on the Application^b of the Guardians of the Union in which such Relief shall have been given, by their Order^c, to direct what Sum, not exceeding the Cost Price of such Relief, shall be paid by such Child to such Guardians in respect of the Relief which shall have been so given, and also what weekly or other periodical Payments shall be made by such Child to such Guardians in respect of such Relief as shall subsequently be given to such poor Person; and the Sum so directed to be paid, and also such weekly or other periodical Payments, when and as they shall become due, shall be recoverable by such Guardians in the same Manner as any Penalties are recoverable under this Act^d.

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c. 56.

If Parents
relieved,
Justices may
order Chil-
dren to pay
for such
Relief.

58. And be it enacted, That every Person who shall refuse to be lodged and maintained in the Workhouse of any Union or abscond out of such Workhouse, while his Wife or any Child whom he may be liable to maintain^e shall be relieved therein, and every Person maintained in a Workhouse who shall refuse to be set to work, or shall be guilty of Drunkenness, Insubordination to the Officers of the Union, or Disobedience to the Rules prescribed or sanctioned by the Commissioners for the Government of such Workhouse, or of

Punishment
for abscond-
ing from
Wife or Chil-
dren in
Workhouse;

refusing to
work,

disobeying
Rules,
or misbe-
haviour in
Workhouse;
introducing
fermented
Liquors.

^a The provisions of this section are extended to relief given under 10 Vic. c. 31, by § 8 of that act (p. 133).

^b See Form, No. 44 (in Part IV.).

^c See Form, No. 45 (in Part IV.).

^d Under § 99, 103 (p. 78, 80).

^e Under § 53 (p. 42).

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other Misbehaviour therein^a, and every Person who shall introduce or attempt to introduce spirituous or fermented Liquors into any Workhouse, contrary to the Orders of the Commissioners^b, shall, on Conviction thereof before any Justice of the Peace at Petty Sessions in open Court, either by the Confession of such Offender, or by the Evidence on Oath of one or more credible Witness or Witnesses, be committed to the Common Gaol or House of Correction, there to be kept to hard Labour for any Time not exceeding One Calendar Month^c.

Punishment
for deserting
Wife or
Child.

59^d. And be it enacted, That if any Person shall desert and leave^e his Wife, or any Child whom such Person shall be liable to maintain, so that such Wife or Child shall become destitute and be relieved in the Workhouse of any Union, every such Person shall, on Conviction thereof before any Justice of the Peace at Petty Sessions in open Court, either by the Confession of the Offender, or by the Evidence of one or more credible Witness or Witnesses, be committed to the Common Gaol or House of Correction, there to be kept to hard Labour for any Term not exceeding Three Calendar Months.

Justice may
issue War-
rant to ap-
prehend
Offenders.

60. And be it enacted, That it shall be lawful for any Justice of the Peace, upon

^a And see offences specified in Petty Sessions Act, 14 & 15 Vic. c. 92, (Part I. 3).

^b Workhouse Rules, article 20 (Part II. 3).

^c See Forms, Nos. 29, 30, 34-36 (in Part IV.).

^d This section is repealed by the Vagrant Act, 10 & 11 Vic. c. 84, § 1 (p. 152); and by the second section of that Act, it is enacted, that any person *deserting or wilfully neglecting to maintain* his wife or child whom he may be liable to maintain^e, so that such wife or child becomes chargeable to the Union, *in or out of the Workhouse*, shall, on conviction thereof, be imprisoned and kept to hard labour for any time not exceeding three calendar months: see Circular of 4th June, 1853, and legal opinions therein (Part III. 2).

^e See legal opinion in note ^b, p. 42.

Oath^a being made before him that any Person hath committed any Offence as aforesaid, to issue his Warrant^a to apprehend and bring before him or some other Justice or Justices of the Peace at Petty Sessions in open Court, the Person so charged, to be dealt with as is directed by this Act.

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RATES.

61. And be it enacted, That for the Purpose of defraying the Expenses incurred in the Execution of this Act, the Guardians of every Union, or, where a Board of Guardians shall not be acting, the Persons or Officers appointed by the Commissioners in their Behalf^b, shall from Time to time make and levy such Rates^c as may be necessary on every Occupier^d of rateable Hereditaments^e in or arising within such Union.

Rates to be
made by
Guardians.

62. And be it enacted, That in making every such Rate, due Regard shall be had to the Amount which shall in Manner aforesaid^f have been ascertained to be chargeable upon any Electoral Division in respect of its Proportion of the Expenses incurred in the Relief of Persons within the Workhouse of the Union, during the Period to which the last Account of such Expenses shall extend.

Regard to
be had to
Amount
chargeable
on Electoral
Divisions.

^a See Forms, Nos. 34-37 (in Part IV.).

^b Under § 25, 26 (p. 19, 20), and § 18 of 10 Vic. c. 31 (p. 140-1).

^c See § 62-65 (p. 47-50): and 6 & 7 Vic. c. 92, § 10 (p. 117).

^d See definition of "Occupier," in § 124 (p. 94). But the lessor may be rated by agreement in lieu of the occupier, in certain cases; see § 72 (p. 54), and 6 & 7 Vic. c. 92, § 5 (p. 111). Under § 1 of the latter Act, the lessor is to be rated instead of the occupier, in cases where the net annual value of the property (unless it be held by lease made before the passing of that Act,) is under £4, or in certain boroughs under £8 (p. 105; and 13 & 14 Vic. c. 69, § 119: Part I. 3): and where a house is let in lodgings, the lessee of the whole house is to be rated, § 4 (p. 109). Under the Municipal Corporations Act, occupiers of premises in boroughs may, for the purposes of that Act, claim to be rated in the poor-rate in certain cases: see 3 & 4 Vic. c. 108, § 33 (in Part I. 3).

^e For description of rateable Hereditaments, see § 63, (p. 48); and General Tenements Valuation Act (in Part I. 3).

^f See § 44 (p. 35).

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Rateable
Heredita-
ments enu-
merated:
Lands,
Buildings,
Mines:
Commons,
all Profits
from Lands;
Fisheries,
Navigations,
Rights of
Way,
Tolls.

Exemptions:
as to Turf
Bog;

as to Mines;

as to Build-
ings, &c. used
exclusively
for Religious,
Charitable,
or Public
Purposes.

63. And be it enacted and declared, That the following Hereditaments shall be rateable Hereditaments under this Act; *viz.*, all Lands, Buildings, and opened Mines; all Commons, and Rights of Common, and all other Profits to be had, received, or taken out of any Land; all Rights of Fishery^a; all Canals, Navigations, and Rights of Navigation; and Rights of Way and other Rights or Easements over Land, and the Tolls levied in respect of such Rights and Easements, and all other Tolls^b: Provided always, that no Turf Bog or Turf Bank used for the exclusive Purpose of cutting or saving Turf, or for taking Turf Mould therefrom for Fuel or for Manure, shall be rateable under this Act, unless a Rent or other valuable Consideration shall be payable for the same; and provided also, that no Mines which have not been opened Seven Years before the passing of this Act, shall be rateable until the Term of Seven Years from the Time of the opening thereof shall have expired; and no Mines hereafter to be opened shall be rateable until Seven Years after the same shall have been opened; and Mines *bonâ fide* re-opened after the same shall have been *bonâ fide* abandoned shall be deemed an Opening of Mines within the Meaning of this Act: Provided also, that no Church, Chapel, or other Building exclusively dedicated to Religious Worship, or exclusively used for the Education of the Poor, nor any Burial Ground or Cemetery, nor any Infirmary, Hospital, Charity School, or other Building used exclusively for charit-

^a See 11 & 12 Vic. c. 92, § 25 (in Part I. 3), under which the Poor Law Commissioners may be called upon to have a Valuation of Fisheries made in certain cases: and see General Tenements Valuation Act (Part I. 3).

^b See § 67, for provisions for keeping Accounts of Tolls, &c., with a view to rating (p. 50).

able Purposes, nor any Building, Land, or Hereditament dedicated to or used for Public Purposes, shall be rateable^a, except where any private Profit or Use shall be directly derived therefrom, in which Case the Person deriving such Profit or Use shall be liable to be rated as an Occupier according to the annual Value of such Profit or Use^b.

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—

64. And be it enacted, That every such Rate shall be a Poundage Rate, made upon an Estimate of the net annual Value of the several Hereditaments rated thereunto; that is to say, of the Rent at which One Year with another the same might in their actual State be reasonably expected to let from Year to Year, the probable annual average Cost of the Repairs, Insurance, and other Expenses, if any, necessary to maintain the Hereditaments in their actual State, and all Rates, Taxes, and public Charges, if any, (except Tithes^c,) being paid by the Tenant^d.

Rate to be a
Poundage
Rate on net
annual
Value.

Definition of
net annual
Value.

^a The 6 & 7 Vic. c. 36, also exempts land and buildings occupied exclusively by and for the purposes of Scientific and Literary Societies, on being certified: see act, and List (in a note thereon) of Institutions declared to be entitled to exemption from rates under its provisions. See also exemption of Lighthouses, &c., under Merchant Shipping Act, 1854, 17 & 18 Vic. c. 104, § 430. Marsh's Library, Dublin, is especially exempted from rate by 6 Ann. c. 19: and the Armagh Observatory by 31 Geo. 3, c. 46. The respective provisions of the several acts here referred to will be found in Part I. 3 of this work.

^b Doubts having arisen as to the operation of the exception at the end of this proviso, in regard to profit or rent derived from property which is used for public or charitable purposes, and as such is exempt from rating under the above proviso it is declared in § 10 of 12 & 13 Vic. c. 104 (p. 192), that from and after the passing of that act, persons receiving Rent from such property are rateable in respect of such Rent, to the extent of one-half the poundage of the Rate on the division in which the property is situate. This however does not affect the liability to rate for any part of exempted properties, of which there is a private use or occupation, as for a residence, &c.

^c "Tithes:" see Interpretation Clause, § 124, and notes thereon, as to Tithe and Ministers' Money (p. 94, 95).

^d See General Tenements Valuation Act, 15 & 16 Vic. c. 63 (Part I. 3). Where the valuation under that act is completed, the Rate is to be assessed thereon, and to be founded upon the net annual value, as here defined, but estimated or ascertained (in the case of land) in reference to a scale of prices laid down in § 11 of that act.

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c. 56,
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1838.

Rates to be
made in
Form
prescribed.

65. And be it enacted, That the Particulars of every such Rate shall be entered in a Book, which (in addition to any other Particular which the Commissioners may require) shall contain an Account of every Particular set forth at the Head of the respective Columns in the Form given in the Second Schedule to this Act annexed^a; and the Guardians and other Officers whose Duty it may be to make the said Rate, or such a Number of the said Guardians or other Officers as are competent to the making and levying of the same, shall, before the same is levied, sign the Declaration at the Foot of the said Form^b; and the said Book shall, after the Signature of the said Declaration, be Evidence of the Truth of every Particular so contained therein.

RATES—VALUATION.

Existing
Surveys to
be used, if
sufficient;
if not
Guardians
to cause
Surveys and
Valuations
to be made.

66. And be it enacted, That all existing Surveys and Valuations shall, so far as they may in the Opinion of the Commissioners be available and sufficient for the Purpose, be made use of in estimating the net annual Value of Hereditaments liable to be rated under this Act; and where no Surveys or Valuations exist, or where existing Surveys or Valuations may not in the Opinion of the Commissioners be available or sufficient for the Purpose, the Guardians of any Union shall, when and in such Manner as the Commissioners shall from Time to Time direct,

^a Page 97.

^b These provisions, as to the Form of Rate and Declaration thereof, are repealed by 6 & 7 Vic. c. 92, § 10 (p. 117), which declares the mode in which rates are to be hereafter made, and enables the Commissioners to prescribe the Form of Rate. Modifications in the Form of Rate have been required by that and subsequent statutes (as 12 & 13 Vic. c. 104, § 10, 21, and others): see Commissioners' General Order, dated 9th September, 1850, prescribing the Forms of Rate now in use, and introductory note thereon, in Part II. 6.

make or cause to be made a Survey and Valuation of all or any such Hereditaments in any Townland within the Union, with such separate Valuations of distinct Tenements, Parcels, or Subdivisions, as the Commissioners shall think fit; and it shall be lawful for the Commissioners, where they shall see fit, either to appoint or to direct the Guardians to appoint a fit professional Person or Persons to make such Survey and Valuation, or to revise and correct any existing Survey or Valuation; and for the Purpose of making any such Survey, Valuation, or Revision, the said Guardians or the Valutors or Surveyor by them appointed, may at all reasonable Times enter every Field, Garden, or other inclosed Land, and all Buildings (not being inhabited Dwelling houses) situate within such Union^a.

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Appoint-
ment of
Valuers or
Revisors.

Power of
Entry on
Premises
for Survey
and Valua-
tion.

67. And be it enacted, That every Body Corporate and every Company of Proprietors and Joint Stock Company associated by Authority of Parliament or by Royal Charter or Letters Patent, or to whom any Privileges or Powers have been or shall be granted by Parliament or by Royal Charter or by Letters Patent, who shall be entitled to any Tolls or Profits from or on account of the Use of any Canal, Navigation, Railway, Right of Way, or other Easement, or to any other Tolls, which shall be rateable under this Act^b, shall cause to be duly kept Accounts showing the gross Amount of the monthly Receipts in respect of such Tolls and Profits received in

Accounts to
be kept of
Tolls and
Profits
liable to be
rated:

^a Further provisions as to Valuations and Rates, 6 & 7 Vic. c. 92, § 7 (p. 112), and 12 & 13 Vic. c. 104, § 13, 14 (p. 194-5). But provision has since been made by the act of 1852, 15 & 16 Vic. c. 63, for a General Tenement Valuation under the direction of the General Valuation Commissioner (see Valuation Acts, in Part I. 3): and where such valuation is completed, the poor rate is to be founded upon it.

^b § 63 (p. 48).

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c. 56,
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1838.

Guardians to
have access
to such
accounts, for
rating
purposes.

Expense of
Valuations
may be de-
frayed by
Rate or Loan.

Valuation to
be exhibited
prior to a
Rate being
made.

every Year from and after the passing of this Act, and also the Amount of the Expenditure in every such Year on account of the Repairs, Insurance, and other Expenses, the probable annual average Cost of which under the Provision herein-before contained^a should be taken into account in ascertaining the net annual Value of such Canal, Navigation, Railway, Right of Way, Easement, or Tolls, and of the Rates, Taxes, and Charges thereon; and the Guardians of the Poor of the Union or several Unions within which such Canal, Navigation, Railway, Right of Way, Easement, or Tolls shall be rateable, or any Agent by such Guardians authorized under their Seal, shall have free Access to and Liberty to inspect the same during the Months of *April* and *October* in every Year.

68. And be it enacted, That it shall be lawful for the Commissioners to make Provisions for paying the Costs of every such Survey and Valuation, either by a separate Rate or by a Charge on the Poor Rates^b, as they may see fit: and in case of such Charge being made, not less than One Fifth of the Sum charged on the Rates and such Interest as may from Time to Time be payable in respect of such Charge or any Part thereof, shall be paid in each succeeding Year, till the whole is discharged.

VALUATION AND RATES—INSPECTION.

69^c. And be it enacted, That before the first Rate shall be made in any Union under

^a See § 64 (p. 49).

^b Provisions as to raising or borrowing money under a charge upon the rates, § 89-91 (p. 68-71).

^c This section is repealed by 6 & 7 Vic. c. 92, § 9 (p. 112); and other provision is thereby made as to the inspection of the Valuations. Under § 70 of the present act, and § 21 of 12 & 13 Vic. c. 104, the Rate-books are also to be open to inspection, before and after the rate is made.

the Provisions of this Act, and also previously to the making of any subsequent Rate upon any new Valuation, the said Guardians shall give such Notice as the Commissioners shall direct, of the Place and Period, not to be less than Twenty-one Days, at and during which the Valuation whereon it is proposed that a Rate shall be made of the rateable Property within the Union may be seen; and such Valuation shall be shown at such Place and during such Period by such Persons as the Guardians shall direct; and every Rate-payer within such Union shall be allowed, at all Times between the Hours of Ten and Four during such Period, to inspect such Valuation.

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

70. And be it enacted, That before any Rate shall be levied, the Guardians shall, in such Form and Manner as the Commissioners shall direct, publish a Notice of the same having been made^a; and thenceforth it shall be lawful for any Person or Persons affected thereby, at all reasonable Times to take Copies thereof, or Extracts therefrom, without paying any thing for the same^b; and in case the Person or Persons having the Custody of such Rate shall refuse to permit or shall not permit such Person or Persons so affected thereby as aforesaid to take Copies thereof or Extracts therefrom, the Person or Persons so refusing or not permitting such Copy or Extract to be made shall, for each and every such Offence, forfeit and pay any Sum not exceeding Ten

Notice to be
given of
Rates made;
and Inspec-
tion, &c.

Penalty for
refusing
access to
Rates to
Persons af-
fected.

^a See General Order of 12 January, 1853, prescribing Form for such Notice, and directions as to Publication (in Part II. 6). Under § 21 of 12 & 13 Vic. c. 104, the Rate Books are also to be open for inspection for fourteen days *before* the Rate is made, notice thereof being given (p. 199): and a Form and instructions for such Notice are also contained in the same Order.

^b By 6 & 7 Vic. c. 92, § 9 (p. 116), it is provided that the Valuation on which the rate "shall have been made" may also be inspected, and extracts or copies thereof be taken.

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEFACT,
1838.

Occupier at
time of Rate
being made,
to pay the
Rate;

or in his
default,
subsequent
Occupier.

Lessor may
be rated
instead of
Occupier, by
agreement of
both and of
Guardians,
where the
property is of
less value
than £5;

Shillings, to be recovered as Penalties and Forfeitures are recoverable under this Act^a.

PAYMENT AND COLLECTION OF RATES.

71. And be it enacted, That every Rate made under the Authority of this Act shall be paid to the Person authorized to collect the same, by the Person in the actual Occupation of the Rateable Property at the Time of the Rate made^b; and on his Default, then by the Person subsequently in the Occupation^c of the rateable Property from whom such Rate shall be demanded.

72. Provided always, and be it enacted, That in any Case where the net annual Value of any Property shall not amount to Five Pounds^d, if the Occupier and his Immediate Lessor by any Writing under their Hands^e shall require, and if the Guardians of the Union wherein such Property is situate shall by Minute of their Board agree thereto, such Immediate Lessor shall be rated instead of such Occupier^f; and such Rebate from the Rate may be made (not exceeding Ten *per cent.*) as the Guardians shall by such Minute

^a Under § 99, 103 (p. 78, 80).

^b See § 61, and note d thereon (p. 47). Under 6 & 7 Vic. c. 92, § 1-3, 5 (p. 105-9, 111), the Rate is to be assessed upon the Immediate Lessor and paid by him, in certain cases. See § 74-79 (p. 57-60), and § 11 of 12 & 13 Vic. c. 104 (p. 193), as to proportion of Rate to be deducted from Rent where any is paid by the person paying the Rate.

^c Under § 78, if the person occupying the property and paying the Rate after it is two months in arrear, be not the person primarily liable for the Rate, the whole amount so paid by him may be deducted from Rent payable to his Landlord (p. 59): and see § 19 of 12 & 13 Vic. c. 104 (p. 198), limiting the time for recovery of rate from persons not primarily liable for the same.

^d By the 6 & 7 Vic. c. 92, § 5 (p. 111), the provisions of this section as to tenements the valuation of which does *not* amount to £5, are extended to any case where it *exceeds* £5. In the terms employed in these sections, properties valued *at* £5 are (inadvertently it is to be presumed) excluded.

^e Form, No. 24 (in Part IV).

^f And in such case, adjacent townlands belonging to one or more proprietors so rated instead of the occupiers, may be formed into a separate Electoral Division, on application to the Commissioners, if they think fit, under § 18 (p. 13).

allow: and such Minute, until altered as herein-after provided, shall bind such Lessor, his Heirs, and Assigns, unless the Commissioners shall at any Time disallow the same or any Part thereof, which shall thenceforth, so far as the same shall be disallowed, be of no effect; and such Minute shall in no case be altered or rescinded by the Guardians until Twelve Months after the making or last previous Alteration thereof, nor within Six Months after the Consent of the Occupier and Lessor to be affected by the Alteration shall have been given to such Alteration: Provided nevertheless, that the Occupier of any Property the Immediate Lessor of whom shall have been so charged, shall be entitled to be rated, on giving to the Board of Guardians of the Union in which such Property is situate Six Months' Notice according to the Form contained in the Third Schedule to this Act annexed^a.

1 & 2 Vic.
c. 56.

such
agreement
subject to
Disallowance
by Commis-
sioners:

But Occupier
may claim to
be rated
again after
notice.

73. And be it enacted, That every Rate made under the Authority of this Act on each Electoral Division shall and may, if any Collector for the Time authorized to collect the County Cess on any Part of such Electoral Division shall be approved of by the Commissioners, and shall give Security to the Satisfaction of the Commissioners^b, and shall accept such Salary or Allowance as shall be approved by the Commissioners for his Trouble in this Behalf, be levied by such Collector, who shall, so far as relates to the Collection of such Rate, be deemed a paid Officer of the Union within which such Electoral Division shall be situated^c; and it shall be lawful for the Guardians

Collectors
of County
Cess to col-
lect Rates,
if approved
by the Com-
missioners,
and on their
Conditions.

^a Page 96.

^b Forms of Bonds for Collectors and Sureties, in Part IV. : where the person appointed Collector is a Cess Collector, Form 2.

^c See Commissioners' Regulations, as to appointment, duties, &c. of Collectors of Poor Rates, in General Regulations and Accounts

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c. 56,
IRISH POOR
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1838.

Poor Rate to
be collected
by like means
as County
Cess.

In default
of Cess Col-
lectors,
other persons
may be
appointed
Collectors.

of any Union to issue Warrants under their Seal to each such Collector^a, specifying the Amount of Money to be levied for the Purposes of this Act, on each Electoral Division respectively within the Collection of such Collector, and the Portion thereof to be paid by each Occupier of Rateable Hereditaments or other Person liable to pay the same; and the Collector, on Receipt of such Warrant, is hereby required and authorized to levy the Money therein mentioned according thereto: and such Money shall and may be collected and levied, sued for and recovered, by such and the same Ways and Means as the Grand Jury Cess, or the Money applotted on the several Persons liable to pay the same, may be collected and levied^b: but if such Collector shall not give such Security or accept such Salary or Allowance, such Rate shall and may be levied by any other Officer of the Union

Order respectively, (Part II. 2 and 4); Circulars of Instructions as to Collection of Rates and Duties of Collectors (Part III. 1, 4).

^a For Form of Warrant to Collect, to be annexed to the Collecting Book, which specifies the amount to be collected, see Form No. 10 (in Part IV.) The form of Collecting Book is prescribed by the Commissioners in the Accounts Order (Part II. 4; Form 25).

^b The Grand Jury Act, 6 & 7 Wm. 4, c. 116, § 152, 153 (since extended by 13 & 14 Vic. c. 82), referred to in the above clause, empowers the Collector to levy by distress and sale of goods; or otherwise, Notice may be left requiring payment within six days; if the rate be not then paid, complaint may be made to a Justice, who is to issue summons; and may order payment, with costs: in default of appearance or payment, a warrant may issue for distress and sale of goods: for Forms of Notice and process for recovery of rates under this section, see Nos. 11 *et seq.* (in Part IV.). The provisions from the above Grand Jury Acts are inserted hereafter (in Part I. 3). See also § 78 of the present Act (p. 59), for provisions for the recovery of rate, after it has been in arrear for two months; and further powers in § 6 of 6 & 7 Vic. c. 92, § 6 (p. 112). Special provision is made for the recovery of rates made on Immediate Lessors under 6 & 7 Vic. c. 92, in § 2-4 of that Act (p. 106-111): and further provision is made for simplifying and rendering more effectual proceedings for recovery of Rates by Action or Suit in the Superior Courts, and by Civil Bill, in 12 & 13 Vic. c. 104, § 15-18 (p. 195-198), § 29, 30 (p. 205-6). For special provisions as to recovery of Rates in Dublin, see 6 & 7 Vic. c. 92, § 11 (p. 118), 12 & 13 Vic. c. 104, § 30 (p. 206); also 11 & 12 Vic. c. 26, and 11 & 12 Vic. c. 91 (in Part I. 3).

who shall, with the Approval of the Commissioners, be thereunto appointed^a and authorized by the Warrant of such Guardians; and every such Officer so appointed and authorized shall have such and the same Powers in all respects, for the Collection and Levy of the Money mentioned in the Warrant of the said Guardians, as are herein-before given to the Collector for the Time being authorized to collect County Cess.

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

with like
powers as
Cess Col-
lector.

DEDUCTIONS FOR RATE FROM RENT, &c.

74. And be it enacted, That where the Person occupying such Property shall be liable to pay a Rent in respect of the same, he may deduct from such Rent^b, for each Pound of the Rent which he shall be liable so to pay, One Half of the Sum which he shall have paid as Rate in respect of each Pound of the net annual Value^c (whether such Rent shall be greater or less than such net annual Value^d); and so in Proportion for any less Sum than a Pound.

Proportion
of Rate to
be deducted
by occupying
Tenant, from
Rent
payable.

75. And be it enacted, That where any Person receiving Rent in respect of any rateable Property shall also pay a Rent^b in respect

Proportion of
Rate to be
deducted by
intermediate
Landlord:

^a Form of Bonds for Collectors and Sureties, in Part IV. : where the person appointed to collect poor rate is not a Cess Collector, Form 3.

^b For definition of "Rent," see § 124 (p. 94): and see proviso at end of § 79 (p. 61), exempting rent-charges by way of jointure or annuity on lives, from deduction for poor rate.

^c The amount to be deducted from the Immediate Lessor is half the poundage rate of 5*d.* or 10*d.* or other rate, as the case may be, for every pound in the amount of the *yearly* rent, to which the Occupier may be liable. The rate is levied upon the *annual* value, and the proportion of rate to be deducted is to be calculated upon the *year's* rent, although the gale of rent actually due, and from which the deduction is to be made, may be for a period less than a year.

^d Under this provision, the occupier was enabled to deduct in certain cases *more* than half the amount of rate actually paid by him; but under § 11 of 12 & 13 Vic. c. 104, no more than one-half the rate paid in future can be deducted in any case (p. 193), except by agreement with his landlord. Where the deduction under the present section would be *less* than half, it will still be so.

1 & 2 VIC.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

Deduction of
rate where
Lessors are
rated by
agreement.

Entire
poundage of
Rate may be
deducted
from Tithe.

of the same, he shall be entitled to deduct from the Rent so paid by him a Sum bearing such a Proportion to the Amount of Rate deducted from the Rent received by him as the Rent paid by him bears to the Rent received by him^a: Provided always, that every Lessor rated as aforesaid^b instead of any Occupier of rateable Property, shall be entitled to deduct from any Rent paid by him in respect of such Property, a Sum bearing such a Proportion to One Half of the entire Rate on such Property as the Rent paid by him bears to the net annual Value of such Property.

76. Provided always, and be it enacted, That every Person immediately liable to pay Tithe^c may deduct therefrom, for every Pound in Value of such Tithe, the entire Poundage of every Rate made under this Act upon the Hereditaments out of which such Tithe may arise^d.

^a By 12 Vic. c. 80 (Part I. 3), this provision is extended to the case of Tithe Rent-charge: see below, § 76 and note ^d thereon.

^b See § 72 (p. 54), and 6 & 7 Vic. c. 92, § 5 (p. 111).

^c See interpretation (§ 124, and note ^c thereon, p. 94), of the word "Tithe," which is to be taken for the purposes of this act as including Tithe Rent-charges under the Tithe Act of 1838, 1 & 2 Vic. c. 109, and also Ministers' Money under 17 & 18 Car. 2, c. 7 (I.)—Ministers' Money was accordingly made liable to deduction for poor rate, as well and in the same manner as Tithe or Tithe Rent-charge. The act of 1854, relating to Ministers' Money, 17 Vic. c. 11, which repeals the act of Chas. II., contains no provision similar to that in the present section, for the deduction of poor rate from the rate now substituted for Ministers' Money. The persons receiving the latter appear, therefore, to be relieved from the burthen of the poor rates thereon, which is transferred to the owners or occupiers of the houses. If this view be correct, the Incumbents heretofore receiving Ministers' Money necessarily cease at the same time to be ratepayers (see § 80, p. 61,) in respect of the deduction for poor rate to which they have heretofore been liable, and by consequence lose the right to vote in the election of Guardians or otherwise, which they possessed in virtue of such payment or deduction of poor rate.

Since the above was written, an opinion given by the Attorney and Solicitor General has been published, to the effect that no part of the rate levied in lieu of Ministers' Money, under 17 Vic. c. 11, can be deducted by the occupier paying it, from rent (if any) payable by him to a landlord.

^d Under 11 & 12 Vic. c. 80, a provision similar to that in § 75 of the present act, is extended to the case of Tithe Rent-charge; and lessees of Tithe Rent-charge, if paying a rent for the same, may deduct

77^a. Provided also, and be it enacted, That any Covenant or Agreement whereby any Person, liable to pay Rent and entitled under the Provisions of this Act to deduct therefrom any Rate or Portion of Rate, shall have covenanted or agreed, or shall hereafter covenant or agree, to forego such Deduction, shall, so far as such Rate is concerned, be of no effect.

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

Agreements
to forego
Deductions
of Rate.

78. And be it enacted, That in case the Rate in respect of any rateable Property shall not have been fully paid within Two Calendar Months after the Rate made^b, it shall be lawful for the Guardians of the Union within which such rateable Property shall be situate, or any Person authorized to collect Rate therein, to levy and raise such Rate or the Part thereof remaining unpaid, together with all Costs incurred by any Neglect or Refusal to pay the same, by such Distress on the rateable Property, and such Sale and Disposition of the Distresses taken thereon, as are by Law provided for the Recovery of Rent reserved on Leases of Land for Years^c; or to sue for such Rate and Costs, by Civil Bill^d in the Name of such Guardians, before the Assistant Barrister having Jurisdiction to hear and determine Causes by Civil Bill in the County, Place, or District where the Person liable to pay the same resides : Provided always, that in case the Person occupying such Property, and pay-

Recovery of
Rate when
Two Months
in arrear :

by Distress ;

by Civil Bill :

But if the
Occupier
paying the
Rate be not

a proportion of the Poor-rate therefrom : see § 1 of the Act (in Part I. 3).

^a This clause is repealed by § 12 of 12 & 13 Vic. c. 104 (p. 194), except as to any covenant or agreement entered into before 1st August, 1849, —the date of the passing of that act.

^b The date of the making of the Rate is the day on which it is signed by the Guardians : see § 10 of 6 & 7 Vic. c. 92 (p. 118).

^c See 6 & 7 Vic. c. 92, § 6 (p. 112). And see Instructions for the Guidance of Collectors, in Circulars (Part III. 1).

^d See Forms, No. 17–20 (in Part IV.) : and see provisions from Civil Bills Act, 1851, 14 & 15 Vic. c. 57 (Part I. 3).

1 & 2 Vic.
c. 56.

primarily
liable, he may
deduct the
whole Rate
from Rent :

Proportion
that may be
deducted in
such case by
an interme-
diate Land-
lord.

Receipts for
Poor Rate
to be taken
in part
Payment of
Rent :

Proviso,
saving Land-
lord's rights.

ing such Rate and Costs or any Part thereof, shall not be the Person primarily liable^a to pay the Rate, or the immediate or any superior Landlord of the Person primarily liable, it shall be lawful for him to deduct and retain the whole of the Rate and such Costs so paid by him from any Rent paid by him ; and the Person from whose Rent such Rate and Costs shall be so deducted, shall be entitled to make from any Rent paid by him, such Deduction as he would have been entitled to make in case the Rate had been duly paid by the Person primarily liable to pay the same^b.

79. And be it enacted, That in all Cases the Receipt for Poor Rate in respect of any Property shall be accepted by every Person entitled to receive Rent in respect of the same Property; or Tithe^c arising therefrom, in lieu of such a Sum of Money and in full Consideration of such Portion of Rent or Tithe^c as the Person tendering such Receipt is hereby entitled to deduct from such Rent or Tithe^c by reason of his Payment of the Rate for which such Receipt shall be given : Provided always, that no Deduction on account of any Payment of Rate under this Act shall be held to be a Discharge of any Portion of any Gale or quarterly or other Payment of Rent due from the Person entitled to make such Deduction, so as to prejudice the Right of any Landlord to recover the Possession of any Hereditaments by Ejectment for Non-payment of the Rent thereof, in any Case where the remaining Portion of such Gale shall be unpaid ; but that it shall and may be lawful for such Landlord to proceed for the Recovery of such Here-

^a § 61 (p. 47) ; § 71 (p. 54).

^b § 74, 75 : see also 12 & 13 Vic. c. 104, § 19 (p. 198), limiting the time for proceeding for recovery of rate from persons not primarily liable for the same.

^c See note c as to Tithe and Ministers' Money, in p. 58.

ditaments by Ejectment, as effectually as if the entire Gale or quarterly or other Payment of Rent out of which such Deduction is hereby allowed, had remained wholly due and unpaid: Provided also, that no Deduction shall be made from any Rent-charge granted by way of Jointure, or any other Rent-charge or Annuity granted, limited, or devised for a Life or Lives in being only, or for Years determinable on a Life or Lives in being.

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

No deduction for Rate to be made from Rent-charge granted by way of Jointure, &c.

RATE-PAYERS, WHO.

80. And be it declared and enacted, That every Occupier paying Rate and not entitled to deduct the whole^a thereof from the Rent paid by him,—and every Person receiving in respect of any rateable Property, Rent^b from which any Deduction shall be made on account of Rate, in case such Rent shall exceed all Rent paid by him in respect of the same Property,—and every Owner of Tithe^c,—shall be deemed a Rate-payer for the Purposes of this Act^d; and every Person entitled to receive Tithes^c from the Persons primarily liable to pay or render the same, shall exclusively be deemed a Tithe-owner^e for the Purposes of this Act.

“Rate-payers” defined:

“Tithe-owners” defined.

^a Under § 78 (p. 59), and § 3 of 6 & 7 Vic. c. 92 (p. 109). Before the passing of 12 & 13 Vic. c. 104, the occupier might in some other cases deduct the whole or more than half of the rate, where the rent admitted of such deduction; but under § 11 of the latter act (p. 193) he cannot in future in any such cases deduct more than half of the amount of rate actually paid, except by agreement with his landlord.

^b See definition of “Rent,” in § 124 (p. 94); and proviso at end of § 79.

^c See note ^c in p. 58, on interpretation of the word “Tithe” for the purposes of this act, in reference to Tithe Rent-charge and Ministers’ Money, in § 124 (p. 94-5), and 1 & 2 Vic. c. 109 and 17 Vic. c. 11, referred to in notes thereon (p. 94, 95).

^d See note ^b on § 81, (p. 62).

^e “Tithe-owner:”—see note ^c on § 76 (p. 58), and note ^c on § 124, (p. 94), as to definition of Tithe-owners, and in reference to persons heretofore entitled to receive Ministers’ Money from the persons primarily liable to pay the same.

1 & 2 Vic.
c. 56,

IRISH POOR
RELIEF ACT,
1838.

—
Constituency
for electing
Guardians
to consist of
Rate-payers
under last
rate: to vote
according to
Scale:

ELECTIONS OF GUARDIANS—CONSTITUENCY.

81. And be it enacted, That at every Election of Guardians in a Union where a Rate shall have been made^a under this Act, every Rate-payer^b who under the last of such Rates

^a Until a rate had been made in any Union, the county-cess payers were to elect the Guardians (see § 87, p. 67): but that provision is now superseded, rates having been made throughout Ireland. And it has been held that in the event of a new Union being formed, the constituency in the first election therein consists of the rate-payers under the rates of the Union or Unions from which the new Union is taken.

^b See definition of "Rate-payers" in § 80; and notes with respect to Tithe and Tithe-owners.

See also § 71 (p. 54), and proviso in § 78 (p. 59). A person coming into occupation subsequently to the rate being made, and who pays the rate in default of the person primarily liable, is entitled, under § 78, to deduct the whole rate from his landlord, and is, therefore, not a rate-payer within the terms of § 80, and not entitled to vote in respect of such payment.

In like manner, an occupier paying rate, under § 3 of 6 & 7 Vic. c. 92 (p. 109), in default of the "immediate lessor," in respect of property for which the latter is liable to pay the rate, is entitled, under the same section, to deduct or recover the whole of it from his landlord, and is therefore not a rate-payer within the terms of § 80, and is not entitled to vote in respect of rate so paid.

So, lodgers paying rate in respect of apartments for which the lessor of the apartments is rated (under § 4 of 6 & 7 Vic. c. 92, p. 109-10), are entitled to deduct or recover the rate paid by them from the person of whom the lodgings are held, and therefore, not being rate-payers within the terms of § 80, are not entitled to vote.

In cases where lessors are rated, under § 72 of 1 & 2 Vic. c. 56 (p. 54), and § 5 of 6 & 7 Vic. c. 92 (p. 111), and also under § 1 of the latter act (p. 105), the occupier is not entitled to vote in respect of the same property, not being a rate-payer. Where the Immediate Lessor is rated by name in the rate-book, under the latter provision, it has been held by Counsel that he is entitled, as standing in the place of the occupier, to vote, although he may not have made a statement of claim under § 84 of 1 & 2 Vic. c. 56 and § 24 of 6 & 7 Vic. c. 92; but that he would not be entitled to double votes under the present section (p. 63), without such statement.

In the case of a person merely having a rent-charge on land liable to rate, if the rent-charge be such as comes within the proviso at the close of the 79th section (p. 61), it would not be liable to deduction on account of rate, and the person receiving it would not therefore as such be a rate-payer, nor thereby entitled to vote. If however, it be such a rent-charge as is included by section 124, in the definition of "rent" (p. 94), it would be liable to deduction for rate, and would therefore give the title to vote, the requirements of § 24 of 6 & 7 Vic. c. 92, being duly complied with.

When rate is paid and the person paying it is entitled to vote in respect of property of the prescribed amount, it confers the qualification for the office of Guardian; the qualification for which consists (§ 19, p. 14) in being entitled to vote in respect of property of the net

shall have paid or contributed or be liable to pay or contribute Rate (whether in One or in more than One Sum or Charge) in respect of Property in such Union^a shall have a Vote or Votes according to the Scale herein-after mentioned; (the Number of Votes, in the Case of an Occupier, to be computed and allowed in respect of the net annual Value of the Property occupied by him; and in the Case of a Person receiving Rent and contributing Rate in respect thereof, to be computed and allowed according to the net Amount of the Rent received by him after deducting therefrom all Rent which he may be liable to pay, and in respect of which he may be entitled to deduct from the Rate contributed; and in the Case of the Tithe-owners^b, to be computed and allowed according to the net annual Value of his Tithe^b): where such Property so occupied, or the net Amount of such Rent, or the net annual Value of such Tithe^b, as the Case may be, shall not amount to 20*l.* . . . 1 vote; shall amount to 20*l.* and not to 50*l.* 2 votes, „ to 50*l.* and not to 100*l.* 3 votes, „ to 100*l.* and not to 150*l.* 4 votes, „ to 150*l.* and not to 200*l.* 5 votes, „ to 200*l.* and upwards, 6 votes:

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1838.

Mode of
ascertaining
Number of
Votes;
for Occupier;
for Landlord;

for Tithe-
owners.

Scale of
Votes:

where double
Votes to be
allowed:

or additional
votes.

And in every Case where the Occupier paying Rate shall not be entitled to deduct any Part thereof from any Rent paid by him, he shall have Double the Number of Votes above mentioned: And where the net annual Value

annual value prescribed (but not exceeding £30,) by the Commissioners' Orders in that behalf. For amount of qualifications in the several Unions, see Table, (Part V.).

^a See 2 Vic. c. 1, § 5 (p. 100), which enables a rate-payer to vote in respect of his liability to rate in *each electoral division* in which he may possess the necessary interest, and to have the number of votes in each division to which he is entitled by his interest therein, according to the scale contained in the present section.

^b As to Tithe and Tithe-owners, see § 80, and notes thereon, and see note ^c, on § 76, in p. 58.

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c. 56,
IRISH POOR
RELIEF ACT,
1838.

Number of
Votes to be
determined
by Aggregate
of Property
for which
the person is
liable to rate.

Joint Rate-
payers to
vote accord-
ing to their
Proportions
of Rate:

where only
One claims,
to vote for
the whole.

Votes for
Guardians
to be in
Writing:

Majority of
Votes bind-
ing.

Proxies may
be appointed
to vote, by
Owners of

of the rateable Property shall exceed the Rent paid by the Occupier, he shall, in Addition to his Votes as Occupier, have the same Number of Votes as if such Excess of net annual Value were Rent received and retained by him without Deductions: And for the Purpose of ascertaining the Number of Votes to which a Rate-payer shall be entitled, the aggregate Amount of the Valuation under this Act for the Time being of the Property in respect of which he claims to vote shall be taken to be the annual Value^a.

82. And be it enacted, That in case two or more Rate-payers shall be jointly liable to pay or contribute to Rate, each of them shall be entitled to vote according to the Proportion and Amount which shall be borne by him; and where One only of the Persons jointly liable shall claim to vote, he shall be entitled to vote in respect of the Whole of the Property in respect of which such Rate-payers may be jointly liable.

83. And be it enacted, That in all Elections of Guardians, the Votes shall be given or taken in Writing, and collected and returned, in such Manner as the Commissioners shall direct^b; and the Majority of the Votes which shall be actually collected and returned in each Electoral Division shall in every such Case be binding on such Division and the Union containing the same.

84. And be it enacted, That it shall be lawful for any Rate-payer from Time to Time

^a The number of votes that may be given in any one electoral division will be determined by the aggregate value of the property *in that division*, in respect of which the person is liable to pay rate; see § 5 of 2 Vic. c. 1 (p. 100): a person may vote in several divisions according to the property upon which he pays rate in each. To ascertain the qualification for the office of Guardian for any division, the aggregate value of property on which the person pays rate in *the whole Union* may be taken into account.

^b The Commissioners' Regulations as to the mode of voting, &c., are contained in the general Election Order (in Part II. 1).

by Writing under his Hand to appoint any Person to vote as his Proxy^a in respect of any Property not in the actual Occupation of such Rate-payer^b; and every such Appointment shall remain in force until revoked^c: but no Rate-payer shall be entitled to vote, either in Person or by Proxy, in respect of any Property not in his actual Occupation, or to give any Vote in addition to the Vote or Votes to which he would be entitled as an Occupier paying Rent equal to the net annual Value of the Property in his actual Occupation^d, unless he or his Proxy shall, ~~One Week~~^e at the least previous to the Day on which he shall claim to vote, have given a Statement^f in Writing of his Name and Address, and the Description of the Property in respect of which he claims to vote, and of his Interest therein^g, and if such Proxy shall claim to vote, the Original or an attested Copy of the Writ-

1 & 2 Vic.
c. 56.

property not
in their
actual Occu-
pation;
Proxy in
force until
revoked:
Landlords
and Proxies
to lodge
Statement of
Claim before
they can
vote:

^a A proxy derives no power, from his appointment as proxy, to nominate a candidate,—the proxy being appointed only to vote in behalf of another person: and a proxy does not derive from his appointment as such, any qualification for the office of Guardian, and can only be qualified by possessing the requisite interest as a rate-payer in his own person.

^b An owner, being a ratepayer entitled to vote, may appoint any person to vote as his proxy in respect of property liable to rate and not in the actual occupation of such rate-payer; but a person cannot make such appointment in respect of property which is in his own occupation.

^c The appointment of a proxy while in force supersedes the owner's claim to vote in person in respect of the property for which the appointment is made; but any person who has appointed a proxy may revoke the appointment, and if still a rate-payer, resume the right to vote in person, at any time.

^d Under the latter part of § 81 (p. 63-4).

^e By 6 & 7 Vic. c. 92, § 24 (p. 125), this clause is amended; and it is provided that the claim to vote, or appointment of proxy, must be lodged *one calendar month* before the time of voting. See note ^c on § 85 (p. 66).

^f Forms in which statements and appointments of proxies under this section may be made, are appended to the Election Order (Part II. 1, Forms A 1, 2. B 1, 2,); but they may be made in any other form, provided they contain the particulars required by the act.

^g By 6 & 7 Vic. c. 92, § 26 (p. 126), the Returning Officer is empowered, in case of doubt, to require proof of the amount of net rent in respect of which the claim to vote is made: and in such case, he is not to admit the vote till such proof be given.

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

Such State-
ments to be
registered by
Returning
Officer or
Guardians.

Occupier
paying Rent,
not to vote
unless he
have paid all
his Rates six
months due.

Corporations
or Joint
Stock Com-
panies, to
vote by their
Officer, his
name being
registered as
in case of
Landlords'
Statements.

ing appointing such Proxy^a, to the Guardians, or some Person acting as the Returning Officer at such Election^b: and the said Guardians, or the Person acting as Returning Officer, shall enter on the Rate Books of the Union, or in some other Book to be from Time to Time provided for that Purpose^c, the Names and Addresses of the Rate-payers and Proxies who shall send such Statements, and the net annual Value of the Property in respect whereof^d they respectively claim to vote.

85. And be it enacted, That no Occupier paying Rent to any Landlord shall be entitled to vote under the Provisions of this Act, unless he shall have paid all the Poor Rates previously made and assessed upon him, except such as shall have been made or become due within the Six Calendar Months immediately preceding such voting^e.

86. And be it enacted, That in Cases of Property belonging to or occupied by any Corporation Aggregate, or any Joint Stock Company, no Member of such Corporation, or Proprietor of or interested in such Joint Stock Company, shall be entitled to vote in respect thereof: but any Officer of such Corporation or Joint Stock Company whose Name shall be

^a See note f in p. 63.

^b The Clerk of the Union is generally the person acting as Returning Officer: see Election Order and Circular of 17 January, 1854, following it (Part II. 1).

^c Forms of books for registering the statements of claims to vote, and appointments of proxies are appended to the Election Order (Part II. 1; Forms C 1, 2, 3): Regulations as to such claims and appointments, and entry thereof, articles 4 to 8 of Election Order.

^d Not the net annual value at which the property out of which the claim arises, is rated; but the net annual value of the beneficial interest enjoyed, and in respect of which the claim is made, by the person claiming to vote, as described in § 81 (p. 63): and in case of doubt the Returning Officer may require proof in support of the claim; see § 26 of 6 & 7 Vic. c. 92 (p. 126).

^e The day on which the declaration at foot of the rate is signed by the Guardians, is to be deemed to be the time of the making of the rate (6 & 7 Vic. c. 92, § 10, p. 118): and the six months is to be reckoned accordingly.

entered by the Direction of the Governing Body of such Corporation or Company in the Books of the Union, in the Manner hereinbefore directed^a with respect to Rate-payers claiming to vote in respect of Property not in their actual Occupation, shall be entitled to vote in respect of such Property in the same Manner as if he were a Rate-payer thereof.

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEFACT,
1838.

87. And be it enacted, That at every Election of Guardians for any Union where a Rate shall not have been made under this Act,^b every Person liable to pay the County Cess for Property within such Union, and every Landlord entitled to receive Rent in respect of such Property, shall have the same Vote or number of Votes respectively, as if the same had been Property rated under the Provisions of this Act; and in such Case, for the Purpose of ascertaining the Right to a Vote or Votes at such Election, every Shilling of the County Cess levied on such Property within the Year ended the Thirty-first day of December next previous to such Election shall be calculated as One Pound net annual Value.

Cess-payers
to form Con-
stituency
until a
Rate shall
have been
made.

88. And be it enacted, That at any Election of Guardians under this Act, the Commissioners may appoint a Returning Officer^c, with such Assistants as they may deem necessary^d, and prescribe the Duties which he shall perform in such Election^e; and such Return-

Returning
Officer to be
appointed by
the Commis-
sioners:

his Duties,
and Return of
the Election:

^a § 84 (p. 66): Forms which may be used by Corporations or Companies in such cases, annexed to Election Order (Part II. 1; Forms A 1, 2).

^b See § 80, 81 *et seq.* which provide as to constituency in Unions where a rate has been made: the 87th section has now become inoperative, rates having been made throughout Ireland. See note ^a on § 81 (p. 62).

^c The Clerk of the Union has generally been appointed by the Commissioners to be Returning Officer; see Circular of 17 January, 1854, following the Election Order (Part II. 1).

^d Appointment of his Assistants; articles 2 and 3 of Election Order.

^e See Regulations in Election Order (Part II. 1).

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT.

Guardians
returned, to
be deemed
legally
elected.

ing Officer shall, according to the best of his Judgment and Ability, make a true Return in Writing to the Commissioners of the Persons who shall be elected Guardians; and every Person who shall be returned by such Officer shall be deemed to be legally elected.

• BORROWING OF MONEY.

Borrowing
of Money:

from any Per-
son willing
to advance:

or from the
Public
Works Loan
Commis-
sioners;

89. And be it enacted, That whenever it is made lawful under the Provisions of this Act to charge or secure Money on the Rates^a of any Union or Electoral Division, it shall be lawful for the Guardians of such Union, with the Consent of the Commissioners, to be testified under their Seal, or for the Commissioners, when there may be no Guardians elected, or other Persons appointed or authorized to act as Guardians for such Union or Electoral Division, to borrow and obtain such Money from any Person willing to advance the same, on the Security of such Rates, on the Terms herein-after mentioned; or to make Application for an Advance of any Sum necessary for any such Purposes, to the Commissioners appointed under an Act passed in the Fifty-seventh Year of the Reign of his Ma-

^a See as to Loans for procuring Land and providing Workhouses, &c., § 35, 36, 90 of this Act; 10 Vic. c. 31, § 20-23; 11 & 12 Vic. c. 25, § 2; 12 & 13 Vic. c. 86: for Valuations, § 68 of present Act, and § 6 of 2 Vic. c. 1; Emigration, § 51 of present Act, and 12 & 13 Vic. c. 104, § 26-28. The 2 Vic. c. 1, § 6, provided that sums not exceeding £200 might be borrowed to defray expenses in any Union, previously to levying a rate; such sums to be charged upon the first rate made in the Union.

Loans or advances could legally be obtained for these purposes, and the law provides for the payment of other expenses by the making of rates: under § 52 and § 94, any charge for interest on advances obtained otherwise, or for any other purpose, than is provided for by the acts, is illegal and liable to be disallowed by the Auditor.

As to the Relief Advances to distressed Unions, included (with the Workhouse Loans, &c.) in the Consolidated Annuities under 13 Vic. c. 14, and afterwards remitted under 16 & 17 Vic. c. 75, see the several acts in Part I. 2.

Provision is made by § 2 of 12 & 13 Vic. c. 104 (p. 185), for the adjustment of liabilities and raising the necessary funds for this purpose on the dissolution and alteration of Unions, by special rates or otherwise.

jesty King George the Third, intituled *An Act to authorize the Issue of Exchequer Bills and the Advance of Money out of the Consolidated Fund, to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in Great Britain, in Manner therein mentioned*, and of any Act or Acts passed for amending or continuing the same; and the said Exchequer Bill Loan Commissioners^a are hereby empowered to make such Advances upon any such Application as aforesaid, upon the Security of the Rates for the Relief of the Poor, or special Rates under this Act, to be made in such Union or Electoral Division, and without requiring any further or other Security than a Charge on such Rates^b: Provided always, that no such Advance of Money shall be made by the Exchequer Bill Loan Commissioners^a for the Purposes of Building any Workhouse unless with the Consent of the Commissioners of Her Majesty's Treasury^c.

1 & 2 VIC.
 c. 56,
 IRISH POOR
 RELIEF ACT,
 1838.

57 G. 3, c. 34.

with Consent
 of Treasury
 in the latter
 Case.

90. Provided always, and be it enacted, That all Money to be borrowed^d under the Provisions of this Act shall be secured by a Charge on the Rates hereby authorized, under the Seal of the Guardians or other Persons appointed or authorized to act as Guardians, or under the Seal of the Commissioners, as the Case shall require, and shall carry Interest after such Rate as may in such Charge be mentioned; and in the Case of Money borrowed for the Purchase of Land or any

Money bor-
 rowed to be
 secured by
 a Charge on
 the Rates
 authorized
 by this Act.

Mode of
 repaying
 Workhouse
 Loans:

^a By the Act 5 Vic. c. 9, this Board has since been re-constituted under the title of "The Commissioners for the Issue of Loans for Public Works and Fisheries, &c.," commonly called the Public Works Loan Commissioners.

^b See note ^b in p. 70.

^c 12 & 13 Vic. c. 86 (Part I. 2), made further temporary provision to enable the Public Works Loan Commissioners to make additional loans for building new Workhouses.

^d See note ^a in p. 68.

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

Interest therein for building or enlarging a Workhouse, or furnishing and fitting up the same, or providing Utensils, Instruments, or Machinery for setting the Poor to work, the Principal Money shall be repaid by annual Instalments of not less than One Twentieth of the Sum borrowed: the first of such Instalments to be paid at or before the Expiration of One Year after the Time of the Advance of such Money, if at the Time of such Advance any Workhouse in the Union shall have been declared by the Commissioners fit for the Reception of destitute Poor; and if no Workhouse in the Union shall have been so declared fit, then at or before the Expiration of One Year after the Time when some Workhouse shall have been so declared fit; and in every Case not otherwise provided for by this Act, such Principal Money shall be repaid by such Instalments as in the Charges by which the same shall be secured shall, with the Consent of the Commissioners, be specified in that Behalf: Provided always, that where any Money shall be advanced by the said Exchequer Bill Loan Commissioners^a, upon Application as aforesaid, for the Purchase of Land or any Interest therein, or for building or enlarging a Workhouse, or for any or all of such Purposes, such Money shall not carry Interest, until, according to the Terms of the Charge by which such Money shall be secured, One Half of the Money so advanced ought to have been repaid, and thenceforth so much only as shall from Time to Time remain unpaid shall carry Interest.^b

Repayment
of other
Loans.

As to Interest on
Loans from
Public
Works Loan
Commissioners.

^a Public Works Loan Commissioners; see note ^a in p. 69.

^b The Workhouse Loans heretofore advanced by the Public Works Loan Commissioners under this Act are included in the Consolidated Annuities under 13 Vic. c. 14; and the provision for repayment of past loans obtained of those Commissioners for this purpose has been superseded by 16 & 17 Vic. c. 75, by which those annuities have

91. And be it enacted, That every Person entitled to Money secured by Charges on the Rates by this Act authorized, may from Time to Time assign his Right and Interest therein to any other Person, upon giving Notice in Writing of such Assignment to the Guardians of the Union the Rates of which or of any Place or District within which may be thereby charged; and after such Assignment and Notice, such Assignee, his Executors, Administrators, and Assigns, shall be entitled to the full Benefit of such Charge, and to recover and receive the Money thereby secured; and it shall not be in the Power of the Person who shall have made such Assignment to release or discharge the Charge assigned, or the Money secured thereby.

1 & 2 VIC.
c. 56,
IRISH POOR
RELIEFACT,
1838.

Persons
entitled to
Money se-
cured on
Rates may
assign their
Interest
therein, on
Notice
given.

CONTRACTS.

92. And be it enacted, That the Commissioners may direct the Boards of Guardians of so many Unions as they may think fit to join in making any Contract; and that any Contract which shall be entered into by or on behalf of any Union, for or relating to the Maintenance, Clothing, Lodging, Employment, or Relief of the destitute Poor, or for any other Purpose relating to or connected with the general Management of the destitute Poor, or the Execution of this Act, which shall not be made and entered into in Conformity with the Orders of the Commissioners^a, or otherwise sanctioned by them, shall be voidable, and, if the said Commissioners shall so direct, shall be null and void; and all Payments

Commission-
ers may
direct Unions
to join in
Contracts.

Contracts
not conform-
able to the
Rules of
Commission-
ers, may be
declared
void.

been altogether remitted and made a grant. These Acts will be found in Part I. 2.

^a See Regulations as to Contracts and mode of obtaining supplies, in Commissioners' General Regulations of 19 January, 1852, (Part I. 2).

1 & 2 VIC.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

Proceedings
against
defaulting
Contractors.

made under, or in pursuance of any Contract not made and entered into in Conformity with such Orders, at any Period after the Commissioners shall have declared the same to be null and void as aforesaid, shall be disallowed in passing the Accounts^a of the Guardians or other Officers by whom such Payments shall have been made: and it shall be lawful for the Commissioners to direct the Guardians of any Union to take or institute any Proceedings, Civil or Criminal, as the Commissioners may think fit, against any Contractor who shall have violated the Terms of any such Contract, or who shall have been guilty of any Fraud in relation thereto; and the Expenses of such Proceedings shall be paid out of the Rates levied under the Authority of this Act in the Union or Unions interested in such Contract.

Guardians,
&c. not to be
concerned in
Contracts,
&c. whilst in
Office:

93. And be it enacted, That no Guardian, paid Officer, Warden, or other Person in whose Hands the Collection of the Rates for the Relief of the destitute Poor, or the Providing for, Ordering, Management, Control, or Direction of the destitute Poor, of any Union, shall or may be placed, shall, either in his own Name or in the Name of any other Person, provide, furnish, or supply for his own Profit, any Materials, Goods, or Provisions for the Use of any Workhouse in any Union for which he or they shall be appointed or act as such, during the Time for which he or they shall retain such Appointment, nor shall be concerned directly or indirectly in furnishing or supplying the same, or in any Contract relating thereto, under pain of forfeiting the Sum of One Hundred Pounds, with full Costs of Suit, to any Person who shall sue for the same by Action of

Penalty.

^a See § 94, 95 (p. 71-2), and 10 Vic. c. 31, § 27, 28 (p. 145).

Debt or on the Case in any of Her Majesty's
Courts of Record at *Dublin*^a.

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEFACT,
1838.

ACCOUNTS.

94. And be it enacted, That every Guardian, Treasurer, or other Person having the Collection, Receipt, or Application of any Monies assessed for the Relief of the destitute Poor in any Union, or holding or accountable for any Balance or Sum of Money, or any Books, Deeds, Papers, Goods, or Chattels, relating to the Relief of the destitute Poor within any Union, or the Collection or Application of Poor Rate, or for the Funds, Property, Rents, Profits, or Income of any House of Industry, or other Institution which shall be liable to become vested in the Commissioners under this Act^b, shall, as often as the Orders of the Commissioners shall direct, make and render to the Auditors who may audit Accounts under the Provision herein-after contained^c a full and distinct Account in Writing, in such Form as the Commissioners shall direct^d, of all Monies, Matters, and Things, committed to their Charge, or received, held, or expended by them on behalf of any such Union, House of Industry, or other Institution; and, if thereunto required by such Auditors, shall verify on Oath (which Oath every such Auditor^e is hereby authorized to administer)

Officers to
account.

Audit.

^a And any person convicted under this section is declared incapable ever afterwards of acting as a Guardian; 6 & 7 Vic. c. 92, § 22 (p. 124). A penalty is also enacted in the Dispensaries Act, 14 & 15 Vic. c. 68, § 11 (p. 215), against local officers connected with the administration of Medical Relief under that act, being concerned in contracts of furnishing supplies for the purposes of that act.

^b See § 34, 35 (p. 26, 29).

^c § 95 (p. 74).

^d See Commissioners' Order prescribing Accounts to be kept by Officers of Unions (Part II. 4).

^e Form of Summons by Auditor for attendance of an Accounting Officer, No. 53 (in Part IV.).

1 & 2 VIC.
c. 56,
IRISH POOR
RELIEF ACT,
1838.
—

Payments
contrary to
this Act to
be disal-
lowed ;

and Balances
due, to be
recovered.

but sureties,
&c., not
to be dis-
charged
by such
proceedings.

Appoint-
ment of
Auditors,
and their
Duties.

the Truth of all such Accounts and State-
ments from Time to Time respectively, or
subscribe a Declaration to the Truth thereof,
in Manner and under the Penalties in this
Act provided for Parties giving Evidence or
refusing to give Evidence under the Provi-
sions of this Act^a; and all Payments, Charges,
and Allowances made by any Guardian or
other Person, and charged upon the Rates
for the Relief of the destitute Poor, contrary
to the Provisions of this Act, or at variance
with any Order of the Commissioners made
under the Authority of this Act, are hereby
declared to be illegal, and shall be disallowed
accordingly; and all Balances found by any
such Auditor to be due from any Guardian,
Treasurer, or other Person having the Con-
trol of the Poor Rate, or accountable for such
Balances, may be recovered in the same Man-
ner as Penalties and Forfeitures are recover-
able under this Act^b: Provided nevertheless,
that no such Proceeding shall exonerate or
discharge the Liability of the Surety of any
such Treasurer, Guardian, or other Person as
aforesaid: Provided also, that no Allowance or
Disallowance by any Auditor shall exonerate
or discharge such Guardian or other Person
liable to account from any Penalty or legal
Proceeding to which he may have rendered
himself liable by having acted contrary to the
Orders of the Commissioners or to the Pro-
visions of this Act^c.

95. And be it enacted, That it shall be
lawful for the Commissioners to appoint Audi-

^a See § 13 (p. 10).

^b § 99, 103 (p. 78, 80). Forms of process for recovery of sums
found due under this section, Part IV., No. 54 *et seq.*

^c See further provisions as to the Audit of Accounts, and recovery
of sums disallowed, in 10 Vic. c. 31, § 23 (p. 149): also § 20 of 12 &
13 Vic. c. 104 (p. 199), requiring annual returns of amounts dis-
allowed, recovered, &c.

tors to audit the Accounts of all Persons liable to account under this Act, and to invest such Auditors with such of the Powers and Authorities which the Commissioners are hereinbefore authorized to delegate to the Assistant Commissioners^a as they shall think fit, and such Appointments, Powers, and Authorities respectively from Time to Time to revoke and vary; and such Auditors shall examine into the Matter of every such Account, and shall disallow and strike out of every such Account all such Charges and Payments as they shall deem to be illegal or unfounded, and shall reduce such as they shall deem to be exorbitant, and shall insert in every such Account such Charges against the Person accounting as they shall deem such Person liable to, specifying upon or at the Foot of such Account every such Charge or Payment, and its Amount, so far as they shall disallow, reduce, or insert the same, and the Cause for which the same is disallowed, reduced, or inserted^b.

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1838.
—

EXEMPTIONS FROM STAMP DUTIES.

96. And be it enacted, That no Advertisement inserted by or under the Direction of the Commissioners in the *London* or *Dublin Gazette* or any Newspaper, for the Purpose of carrying into effect any Provisions of this Act, nor any Charge, Mortgage, Bond, or Instrument given by way of Security in pursuance of the Orders of the Commissioners and conformable thereto, nor any Transfer thereof, nor any Contract or Agreement made or entered into in pursuance of such Orders and

Advertisements, Receipts for Rate, and other Instruments under this Act, not liable to Stamp Duty.

^a See § 11 (p. 8), the provisions of which are superseded so far as concerned the Assistant Commissioners under this act, by 10 & 11 Vic. c. 90, § 5, 6 (p. 159), and 14 & 15 Vic. c. 68, § 1 (p. 208).

^b See Commissioners' Regulations respecting the Audit of Accounts, in General Regulations of 19 January, 1852 (Part II. 2), article 53; and in Accounts Order of 8 April, 1853 (Part II. 4), § i. 8-10, and § vii.

1 & 2 VIC.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

conformable thereto, nor any Conveyance, Demise, or Assignment respectively, to or by the Commissioners, nor any Receipt for Rate, nor any other Instrument made in pursuance of this Act, nor the Appointment of any paid Officer engaged in the Administration of the Laws for the Relief of the Poor, or in the Management or Collection of the Poor Rate, shall be charged or chargeable with any Stamp Duty whatever.

EXEMPTION FROM POSTAGE^a.

Exemption
of Commis-
sioners' cor-
respondence
from Postage.

97^a. And be it enacted, That the said Commissioners or Commissioner shall and may receive and send by the General Post, from and to Places within the United Kingdom, all Letters and Packets relating solely and exclusively to the Execution of this Act, free from the Duty of Postage^a, provided that such Letters and Packets as shall be so sent be directed to the Poor Law Commissioners, and that all such Letters and Packets as shall be sent by the said Commissioners shall be in Covers, with the Words "Office of Poor Law Commissioners" printed on the same, and be signed on the outside thereof, under such Words, with the Name of any One of such Persons, not exceeding Three, as the said Commissioners, with the Consent of the Commissioners of the Treasury, or any Two or more of them, shall authorize and appoint, in his own Handwriting, (such Name to be from Time to Time transmitted to the Secretaries of the General Post Office in London and Dublin,) and be sealed with the Seal of the said Commissioners, and under such other Regulations and Restrictions as the said Com-

^a The power of receiving or sending letters or packets, under this Act, by post, free from postage, has been abolished by the Penny Postage Act, by which they are rendered subject to the same rates of postage as other letters or packets.

missioners of the Treasury, or any Two or more of them, shall think proper and direct; and every Person so to be authorized is hereby strictly forbidden so to subscribe or seal any Letter or Packet whatever, except such only concerning which he shall receive the special Direction of his superior Officer, or which he shall himself know to relate solely and exclusively to the Execution of this Act; and if any Person so to be authorized, or any other Person shall send, or cause or permit to be sent, under any such Cover, any Letter, Paper, or Writing, or any Inclosure, other than what shall relate to the Execution of this Act, every Person so offending shall be dismissed from his Office, and shall forfeit and pay the Sum of One Hundred Pounds, (one Moiety of the said Penalty to the Use of Her Majesty, Her Heirs and Successors, and the other Moiety to the Use of the Person who shall inform or sue for the same), to be sued for and recovered in any of Her Majesty's Courts of Record at Westminster for Offences committed in England, and in any of Her Majesty's Courts of Record in Dublin for Offences committed in Ireland, and before the Sheriff or Stewartry Court of the Shire or Stewartry within which the Party offending shall reside or the Offence shall be committed for Offences committed in Scotland; and if any Letter, Paper, or Writing, or other Inclosure, shall be sent under cover to the said Commissioners, the same not relating solely and exclusively to the Execution of this Act, they are hereby strictly required and enjoined to transmit the same forthwith to the Secretary of the Post Office in London, with the Covers under which the same shall be sent, in order that the Contents, thereof may be charged with the full Rates of Postage.

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

Penalty for
abuse of this
Clause.

Letters sent
under Cover,
not relating
solely to the
Business of
the Act, to
be transmit-
ted to Post
Office, to be
charged.

1 & 2 VIC.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

Service of
Summons.

SERVICE OF SUMMONS.

98. And be it enacted, That the Delivery of any Summons authorized to be issued by any Commissioner, Assistant Commissioner^a, or Justice of the Peace, under this Act, to any Party to whom such Summons shall be directed, or at his Place of Abode, to his Wife, or to any Child or Servant of such Party, being of the Age of Sixteen Years or upwards, shall in all Cases be deemed good and sufficient Service of such Summons^b.

OFFENCES AND PENALTIES.

Commis-
sioners or
Justices may
proceed by
Summons for
Recovery of
Penalties.

99. And be it enacted, That in all Cases in which any Penalty or Forfeiture is recoverable before Justices of the Peace^c under this Act, it shall and may be lawful for any Commissioner or Assistant Commissioner, or any Justice, to whom Complaint in Writing^d shall be made of any such Offence, to summon the Party complained against to appear before any Two Justices; and on such Summons the said Two Justices may hear and determine the Matter of such Complaint, and on Proof of the Offence convict^e the Offender, and adjudge him to pay the Penalty or Forfeiture incurred, and proceed to recover the same^f.

Penalty on
Officers dis-
obeying
Guardians.

100. And be it enacted, That in Case any Warden, Master of a Workhouse, or other Officer of any Union, shall wilfully disobey

^a See note ^a on § 1 (p. 3); § 6 of 10 & 11 Vic. c. 90 (p. 159): and § 1 of 14 & 15 Vic. c. 68 (p. 208): the office of Assistant Commissioner has been abolished. As to appointment of Inspectors in place of Assistant Commissioners, and powers of inquiry of Commissioners and Inspectors, see 10 & 11 Vic. c. 90, § 5, 19; and 14 & 15 Vic. c. 63, § 3, 16.

^b See Forms of Summons, No. 26, 27, 40, (in Part IV.). As to service of Civil Bill Processes, see provisions of Civil Bills Act, 1851, 14 & 15 Vic. c. 57 (Part I. 3).

^c For definition of "Justice of the Peace," see § 124 (p. 95).

^d See Forms of Complaint, No. 25, 39, (in Part IV.).

^e See Forms of Conviction, No. 28, 29, 41, (in Part IV.).

^f Forms for Warrant of Distress, &c., No. 31-33, (in Part IV.).

the legal and reasonable Orders of Guardians^a in carrying the Orders of the Commissioners or Assistant Commissioners^b, or the Provisions of this Act, into Execution, every such Offender, shall, upon Conviction^c before any Two Justices, forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

1 & 2 VIC.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

Penalty on
Officers
purloining or
wasting
Goods, &c.:

101. And be it enacted, That if any Master of a Workhouse or other paid Officer; or any other Person employed by or under the Authority of the said Guardians, shall purloin, embezzle, or wilfully waste or misapply any of the Monies, Goods, or Chattels, belonging to any Union, every such Offender shall, besides and in addition to such Pains and Penalties as such Person so offending shall, independently of this Act, be liable to, upon Conviction before any Two Justices, forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds and also Treble the Amount or Value of such Money, Goods, or Chattels so purloined, embezzled, wasted, or misapplied^d; and every Person so convicted shall be for ever thereafter incapable of serving any Office relating to the Relief of the destitute Poor.

Offender
incapacita-
ted from
holding
office after-
wards.

102. And be it enacted, That in case any Person shall wilfully neglect or disobey any of the Orders of the Commissioners or Assistant Commissioners^b, purporting to be sealed or stamped with their Seal of Office, such Person shall, upon Conviction before any Two Justices^e, forfeit and pay for the First Offence any Sum not exceeding Five Pounds; for the Second Offence, any Sum not exceeding

Penalty on
Persons
wilfully dis-
obeying
Orders of
Commission-
ers.

^a Form of Complaint under this section, No. 42 (in Part IV.).

^b See note ^a in p. 78.

^c See Forms of Conviction, No. 28, 29, 41 (in Part IV.).

^d See Forms, No. 39-41 (in Part IV.).

^e "Justices:" see interpretation, § 124 (p. 95).

1 & 2 VIC.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

Twenty Pounds, nor less than Five Pounds; and in the Event of such Person being convicted a Third Time, such Third and every subsequent Offence shall be deemed a Misdemeanor, and such Offender shall be liable to be indicted for the same Offence, and shall, on Conviction, pay such Fine, not being less than Twenty Pounds, and suffer such Imprisonment with or without Hard Labour, as may be awarded against him by the Court by or before which he shall be tried and convicted.

Forfeitures,
Costs, and
Charges may
be levied by
Distress and
Sale.

103. And be it enacted, That all Penalties and Forfeitures by this Act inflicted or authorized to be imposed for any Offence against the same, shall, upon Proof and Conviction of the Offences respectively before any Two Justices^a, either by the Confession of the Party offending, or by the Oath of any credible Witness or Witnesses, (which Oath such Justices are in every Case hereby fully authorized to administer,) or upon Order made as aforesaid, be levied, together with the Costs attending the Information, Summons, and Conviction, by Distress and Sale of the Goods and Chattels of the Offender or Person liable or ordered to pay the same respectively^b, by Warrant under the Hands of the Justices before whom the Party may have been convicted, or, on Proof of such Conviction, by a Warrant under the Hands of any Two Justices (which Warrant such Justices are hereby empowered and required to grant); and the Overplus (if any), after such Penalties and Forfeitures and the Charges of such Distress and Sale are deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chattels; and in case such Fines, Penalties, and Forfeitures shall not be

^a "Justices:" see interpretation, § 124 (p. 95).

^b Forms of Warrant of Distress, &c., No. 31-38 (in Part IV.).

forthwith paid upon Conviction, then it shall be lawful for such Justices as aforesaid to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justices as aforesaid for his or their Appearance before such Justices on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justices as aforesaid are hereby empowered to take, by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for any such Justices as aforesaid, as the Case may be, and they are hereby authorized and required, by Warrant or Warrants under their Hands, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the County where the Offender shall be or reside, there to remain without Bail or Mainprize, for any Term not exceeding Three Calendar Months, unless such Penalties and Forfeitures, and all reasonable Charges attending the same, shall be sooner paid and satisfied; and the Penalties and Forfeitures, when so levied, shall be paid to or for the Use of the Union where such Offence shall have been committed, to be applied in aid of the Poor Rate of such Union, and if such Offence shall not be committed within any Union, shall be paid to the Treasurer of the County in which such Offence shall have been committed, in aid of the County Cess^a.

1 & 2 VIC.
c. 56,
IRISH POOR
RELIEFACT,
1838.
—

Penalties
&c., in what
Manner to
be applied.

^a The last clause of the section is now inoperative, the whole of

i & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

Rate-payers,
&c., may be
competent
Witnesses.

Satisfaction
recoverable
for special
Damage,
but Distress
not unlawful
for Want of
Form in the
Proceedings.

Plaintiff not
to recover
for Irregu-
larity if
Tender of
Amends be
made.

104. And be it enacted, That no Rate-payer or Inhabitant of any Union, or Payer of County Cess, shall be deemed an incompetent Witness in any Proceeding for the Recovery of any Penalty or Forfeiture inflicted or imposed for any Offence against this Act, notwithstanding such Penalty or Forfeiture, when recovered, shall be applicable as aforesaid^a.

105. And be it enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party making the same be deemed a Trespasser on account of any Default or Want of Form in any Proceedings relating thereto; nor shall the Party distraining be deemed a Trespasser *ab initio* on account of any Irregularity which shall afterwards happen in making the Distress; but the Person aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action on the Case: Provided always, that no Plaintiff shall recover in any Action for Irregularity, Trespass, or wrongful Proceedings, if Tender of sufficient Amends shall be made by or on behalf of the Party who shall have committed or caused to be committed any such Irregularity, Trespass, or wrongful Proceedings, before such Action shall have been brought; and in Case no such Tender shall have been made, it shall and may be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of

Ireland being included in Unions; and the penalty is applicable to the use of the Union in which the offence is committed.

^a Under § 104. See further provision in 6 & 7 Vic. c. 92, § 27 (p. 127), as to competency of rate-payers, guardians, and officers, being only nominal parties, as witnesses. 6 Vic. c. 8, declares Justices competent to act although they may be rate-payers in the Unions affected; and § 4 of 12 Vic. c. 46 gives protection to Justices for acts done in recovery of Rates, &c.: these provisions will be found in Part I. 3.

Money as he shall see fit, whereupon such Proceedings or Orders and Judgment shall be had, made, and given, in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

APPEAL.

106. And be it enacted, That if any Person or Persons shall find himself or themselves aggrieved by any Order or Conviction of any Justice or Justices (except where such Justice shall be an Assistant Barrister), where such Person or Persons shall be convicted in any Penalty or Penalties exceeding Five Pounds, or by any Rate made under this Act, or shall have any material Objection to any Person or Persons being put in or left out of such Rate, or to the Sum charged on any Person therein, it shall be lawful for such Person or Persons to appeal^a to any Sessions of the Peace to be held in the Presence of the Assistant Barrister^b in and for the County in which such Rate or such Order shall have been made or Conviction taken place, within Four Calendar Months next after the Cause of Complaint shall have arisen, or if such Sessions shall be held before the Expiration of One Calendar Month next after such Cause of Complaint, then such Appeal shall be made to the next following Sessions.

Appeal to
Sessions
against
Rates or
Order of
Justices to
be within
Four Calen-
dar Months
after Cause
of Com-
plaint, &c.

107. And be it enacted, That the Justices and Assistant Barrister before whom any Appeal shall be brought are hereby empowered

Power to
determine
Appeal, or
amend Rate,

^aForms in Appeal, No. 21-23, 46-51 (in Part IV).—As to Notice of Appeal, &c., see § 107, 109 of this act, and 12 & 13 Vic. c. 104, § 22, 23, 29, (p. 200, 205).

^bSee amendment in 2 Vic. c. 1, § 9 (p. 102): under which appeal may be made to general or quarter sessions, although not held in presence of an Assistant Barrister: and further provisions as to Appeal against Rates, 6 & 7 Vic. c. 92, § 7, 8 (p. 113, 114), and 12 & 13 Vic. c. 104, § 22, 23 (p. 200): and 6 & 7 Vic. c. 36, § 5, 6, (in Part I. 3) providing an appeal to quarter sessions against certificate of exemption of literary or scientific societies from rates, or against refusal thereof.

1 & 2 VIC.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

or quash the
same, and
order a new
Rate.

to hear and finally determine the Matter of such Appeal, and to make such Order therein as to them shall seem meet^a, which Order shall be final and conclusive upon all Parties; and in Case of any Appeal against any Rate as aforesaid, to order the Name of any Person interested or concerned in the Event of such Appeal and having had Notice thereof as is herein provided^b, to be inserted in such Rate, and to be rated at such Sum or Sums of Money, or to order the Name of any such Person to be struck out of such Rate, or the Sum or Sums at which any such Person is rated therein to be altered^c, as the said Justices and Assistant Barrister shall think right; and such Justices and Assistant Barrister or some proper Officer of the Court shall forthwith add to^c or alter the Rate accordingly: Provided always, that the Justices and Assistant Barrister to whom such Appeal shall be made shall not examine or inquire into any other Cause or Ground of Appeal than such as is stated and specified in the Notice of Appeal^b, nor alter any such Rate with respect to other Persons or Matter than are mentioned and specified in the Notice of Appeal; but if upon an Appeal from the whole of any Rate it shall be found necessary to quash or set aside the same, then the said Justices and Assistant Barrister shall quash the same, and shall in that Case order the Guardians to make a new Rate, and they are hereby required to make the same accordingly.

If rate
decreased,
Amount
paid to be
returned.

108. And be it enacted, That if, upon the Hearing of any Appeal from any Rate made under this Act, the Justices and Assist-

^a For Forms in Appeal against a Rate, see No. 21-23, &c. (in Part IV.).

^b Notice of Appeal, § 109, (p. 85).

^c But no addition is to be made to the *amount* of rate, on account of increased value from improvements under the Land Improvement Act, for seven years after such improvements: see § 14 of 12 & 13 Vic. c. 104 (p. 195).

ant Barrister shall order the Name of any Person to be struck out of such Rate, or the Sum or Sums rated on any Person to be decreased or lowered, and if it shall be made appear to the Justices and Assistant Barrister that such Person hath previously to the hearing of such Appeal paid any Sum or Sums of Money^a, in consequence of such Rate, which he ought not to have been charged with, then and in every such Case the said Justices and Assistant Barrister shall order all and every such Sum and Sums of Money to be repaid by the said Guardians, together with all reasonable Costs, Charges, and Expenses occasioned by such Person having been required to pay the same, to be recovered as Penalties and Forfeitures under this Act^b.

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

in Writing to
be given of
Appeal, &c.

109. And be it enacted, That the Person or Persons so appealing shall give or cause to be given at least Fourteen Days' Notice in Writing^c of his or their Intention of appealing as aforesaid, and of the Matter or Cause thereof, to the Clerk of the Guardians or the Respondent or Respondents; and the Justices and Assistant Barrister to whom such Appeal shall be made shall not examine or inquire into any other Cause or Ground of Appeal than such as is stated and specified in the Notice of Appeal; and if any Person or Persons shall appeal against a Rate because any other Person is rated or omitted therein, or because any other Person is rated therein at any greater or less Sum than the net annual Value of the Hereditaments in respect of which such other Person shall be rated, or

Fourteen
Days' Notice
in Writing,
to be given of
Appeal, and
Grounds
thereof;

to whom such
Notice is to
be given.

^a Under § 110, the Rate is to be levied and paid, pending an appeal, as if there were no appeal (p. 86).

^b Under § 99, 103 (p. 78, 80).

^c Under § 22, 23 of 12 & 13 Vic. c. 104, in case of appeal against a rate, the agent of the appellant, appointed as therein directed, may give the notice and enter into the recognizances required by the act (p. 200).

1 & 2 VIC.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

for any other Cause that shall require any Alteration to be made in such Rates with respect to any other Person, then and in every such Case the Person or Persons so appealing shall give such Notice of Appeal as aforesaid, not only to the Clerk of the Guardians of the Union wherein such Rate shall be made, but also to every other Person so interested or concerned in the Event of such Appeal; and every such other Person shall, if he so desire, be heard upon such Appeal.

Pending Ap-
peal, Rate
to be pay-
able as if
no Appeal
made.

110. Provided always, and be it enacted, That notwithstanding any such Appeal or Notice thereof, every Rate shall be payable and shall be levied as if no Appeal had been made^a, until such Rate shall be actually quashed or amended.

Recogni-
zance to be
entered
into to try
the Appeal.

111^b. And be it enacted, That within Five Days after Notice given of Appeal the Person or Persons appealing shall enter into a Recognizance before some Justice of the Peace with sufficient Securities, conditioned to try such Appeal at the then next Sessions of the Peace to be held in the Presence of the Assistant Barrister as aforesaid, and to abide the Order of and pay such Costs as shall be awarded by the Justices and Assistant Barrister at such Sessions.

Costs may
be awarded.

112. And be it enacted, That such Justices and Assistant Barrister, upon hearing and finally determining the Matter of any Appeal, shall and may, according to their Discretion, award such Costs to the Party appealing or appealed against as they shall think proper; and their Determination in or concerning the Premises shall be conclusive and binding on all Parties, to all Intents and Purposes whatsoever.

^a Under § 108, sums overpaid may be ordered to be repaid, with costs (p. 85).

^b This section (111) is repealed, and other provision substituted in lieu thereof, by § 23 of 12 & 13 Vic. c. 104 (p. 200).

PROTECTION OF OFFICERS.

1 & 2 Vic.

c. 56,

IRISH POOR
RELIEF ACT,
1838.Limitation
of Actions.

113. And be it enacted, That no Action or Suit shall be commenced against any Commissioner, ~~Assistant Commissioner~~^a, or any other Person, for anything done in pursuance of or under the Authority of this Act, until Twenty-one Days' Notice has been given thereof in Writing to the Party or Person against whom such Action is intended to be brought, nor after sufficient Satisfaction, or Tender thereof, shall have been made to the Party aggrieved, nor after Three Calendar Months next after the Act committed for which such Action or Suit shall be so brought; and every such Action shall be brought, laid, and tried, where the Cause of Action shall have arisen, and not in any other County or Place; and the Defendant in such Action or Suit may plead the General Issue, and give this Act and any special Matter in Evidence, at any Trial which shall be had thereupon; and if the Matter or Thing shall appear to have been done under or by virtue of this Act, or if it shall appear that such Action or Suit was brought before Twenty-one Days' Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any Action or Suit shall not be commenced within the Time before limited, or shall be laid in any other County than as aforesaid, then the Jury shall find a Verdict for the Defendant therein; and if a Verdict shall be found for such Defendant, or if the Plaintiff in such Action or Suit shall become Nonsuit, or suffer a Discontinuance of such Action, or if, upon any Demurrer in such Action, Judgment shall be given for the Defendant therein, then and in any of the Cases aforesaid such

Defendant
may plead
General
Issue, &c.

Costs.

^a See note * in p. 78.

1 & 2 VIC.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

Defendant shall have Costs, Charges, and Expenses, as between Attorney and Client, and shall have such Remedy for recovering the same as any Defendant may have for his or her Costs in any other Case by Law.

CERTIORARI.

Orders
removable
by Certiorari
into Court of
Queen's
Bench; but
to continue
in force until
declared
illegal.

114. And be it enacted, That no Order of the Commissioners ~~or Assistant Commis-~~^{sioners^a} or Guardians, or any of them, made under the Powers of this Act, ~~or Rate made~~^{under this Act^b}, shall be removed or removable by Writ of Certiorari into any Court of Record, except Her Majesty's Court of Queen's Bench at Dublin; and that every Order^c ~~or~~ Rate^b which shall be removed by Writ of Certiorari into the said Court of Queen's Bench, or the Legality of which shall be called in question in any other legal Proceedings, shall nevertheless, until the same shall be declared illegal by that Court, continue in full Force and Virtue, and be obeyed, performed, and enforced in such and the same Manner, and by such and the same Ways and Means, as if the same had not been so removed, or the Legality thereof had not been called in question.

Notice to be
given to
Commis-
sioners of
Application
for Writ of
Certiorari,
&c.

115. And be it enacted, That no Application shall be made for any Writ of Certiorari for the Removal of any such Order^c ~~or~~ Rate^b, except to the Judges when sitting in the said Court, nor unless Notice in Writing

^a See note ^a in p. 78.

^b See § 106 *et seq.* as to Appeal against rates. The Act 2 Vic. c. 1, § 10 (p. 104), repeals so much of this act as relates to the removal of Rates by Writ of Certiorari, into the Court of Queen's Bench.

^c The words "such order" appear to refer to the terms "order of the Commissioners or Guardians," used in the previous section; the subsequent provisions appear to contemplate orders of the Commissioners more particularly. An order of the Commissioners, issued for determining any question as to the right of a person to act as an Elective Guardian, can only be removed by Writ of Certiorari, if the application for the writ be made in the term next following the issue of the order: 6 & 7 Vic. c. 92, § 23 (p. 124).

shall have been left at the Office of the Commissioners in ~~London~~^a or Dublin at least Ten Days previous to such Application being made, and in which Notice shall be set forth the Name and Description of the Party by or on behalf of whom and the Day on which it is intended to make such Application, together with a Statement of the Grounds thereof; and thereupon it shall be lawful for the Commissioners to show Cause in the first instance against such Application, and the Court may, if it shall so think fit, forthwith proceed to hear and determine the same upon the Grounds set forth in such Notice.

1 & 2 VIC.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

Commis-
sioners may
show Cause.

116. And be it enacted, That the Party or Parties applying for any Writ of Certiorari for the Removal of any such Order ~~or~~^b Rate shall, previous to such Application being heard, enter into a Recognizance, with sufficient Sureties, before One of Her Majesty's Justices of the Court of Queen's Bench in Dublin, or before a Justice of the Peace of the County or Place in which such Person shall reside, in the Sum of Fifty Pounds, with Condition to prosecute the same, at his or their Costs and Charges, with Effect, without any wilful or affected Delay; and in Default thereof, or in the Event of such Writ being refused or of such Order being deemed legal, to pay the Commissioners their full Costs, Charges, and Expenses, to be taxed according to the Course of the said Court of Queen's Bench; and in any such Case, the Commissioners entitled to such Costs, within Ten Days after Demand made of the Person or Persons who ought to pay the said Costs, upon Oath made of the making such Demand,

Recogni-
zances to be
entered into
previous to
Application
for Writ.

In what
Cases Com-
missioners
to be en-
titled to
Costs.

^a See note ^a on § 1 (p. 3); and 10 & 11 Vic. c. 90, separating the administration of the Poor Law in Ireland from that in England (§ 1 and proviso in § 9, p. 157, 161). The Commissioners for Ireland have no office in London.

^b See note ^b in p. 88.

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

If Orders
are quashed
the same to
be notified to
Unions to
which such
Orders have
been di-
rected.

Proviso for
existing
Contracts.

No Person
to be an-
swerable
until Re-
ceipt of
Notic .

Explana-
tion of
Term
"Poor Law
Commis-
sioners."

and Refusal of Payment thereof, may recover the same in the same Manner as any Penalties and Forfeitures are recoverable under this Act^a.

117. And be it enacted, That if upon the Hearing of the Application the Court shall order a Writ of Certiorari to issue for bringing up any such Order, and the same, being brought into Court, shall be quashed as illegal, the Commissioners shall forthwith notify the Judgment of the Court to all Unions to which such Order shall have been directed; and the same shall from the Time of receiving such Notice respectively be deemed and taken to be null and void to all Intents and Purposes whatsoever: Provided always, that such Judgment shall not have the Effect of annulling any Contracts made in pursuance or upon the Authority of any such Order, which at the Receipt of such Notice respectively shall have been executed by either of the contracting Parties: Provided also, that no Person shall be liable to be prosecuted, either by Indictment or by Civil Action, for or in respect of any Act done by him before the Receipt of such Notice, or under the Authority and in pursuance of such Order.

MODIFICATIONS OF THE POOR LAW COMMISSION.^b

118. And be it enacted and declared, That the Words "Poor Law Commissioners," and the Words referring to such Commissioners in this Act, shall be taken to mean the Poor Law Commissioners for England and

^a § 99, 103 (p. 78, 80).

^b See 10 & 11 Vic. c. 90 (p. 156), providing for the administration of the Laws for the Relief of the Poor in Ireland by a separate Board of Commissioners constituted for Ireland under that Act, by which these provisions are now superseded. The constitution of that Board has since been modified under the Dispensaries Act, 14 & 15 Vic. c. 68, § 1 (p. 207).

Wales appointed under the Authority of an Act passed in the Fourth and Fifth Years of the Reign of His late Majesty, intituled "An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales"; and that the said Commissioners for the Time being shall from and after the passing of this Act be styled "The Poor Law Commissioners," and by that Name shall have all the Powers and be subject to all the Obligations conferred or imposed on them by the said Act or by any other Acts by the Name of "The Poor Law Commissioners for England and Wales;" but all Proceedings in Law or in Equity commenced, and all Deeds or Instruments made and executed, and all Orders and Summonses made and issued before the passing of this Act wherein the said Commissioners shall be styled "The Poor Law Commissioners for England and Wales," shall be continued, and shall have the same Force and Effect after the passing of this Act, as if the said Commissioners were therein styled "The Poor Law Commissioners."

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

4 & 5 Wm.
4. c. 76.

Change of
Style of
Commis-
sioners.

119. And whereas by reason of the Provisions of this Act the Duties of the Poor Law Commissioners may be greatly increased; be it therefore enacted, That it shall be lawful for Her Majesty, Her Heirs and Successors, by Warrant under the Royal Sign Manual, to appoint a Fourth fit Person to be a Commissioner to carry the said Act of the Fourth and Fifth Years of His late Majesty and this Act into execution, conjointly with the Three Commissioners appointed by virtue of the said Act; and all the Provisions contained in the said Act, or in any other Act passed or to be passed, in any way affecting the said Commissioners appointed under the said Act or this Act, or any of them, shall extend to any Fourth

Power to
the Queen
to appoint
a Fourth
Commis-
sioner.

4 & 5 Wm. 4,
c. 76.

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1833.

Commission-
ers may sit
as a Board,
either in
England or
Ireland.

To have a
Common
Seal, and
Duplicate
thereof.

Orders pur-
porting to
be sealed
with such
Seal to be
received as
Evidence.

One Com-
missioner
may reside in
Ireland for
the Execu-
tion of this
Act:

Commissioner who may be appointed under the Provisions of this Act.

120^a. And be it enacted, That the said Commissioners, or any two of them, may from Time to Time, as they may deem expedient, sit in England and Wales or Ireland as a Board of Commissioners for carrying this Act into Execution, and for exercising all or any of the Powers which may be exercised by the said Commissioners under the Authority of the said Act of the Fourth and Fifth Years of the Reign of His late Majesty, or any other Acts.

121. And be it enacted, That the Commissioners shall cause to be made a Seal and Duplicate Seal of the said Board, and shall cause to be sealed or stamped therewith all Orders made by them in pursuance of this Act^b; and all such Orders or Copies thereof, purporting to be sealed or stamped with the Seal of the said Board, shall be received, without any further Proof thereof, as Evidence of such Orders, and that the same have been duly made and issued; and no such Order, or Copy thereof, shall be valid, or have any Force or Effect, unless the same shall be sealed or stamped as aforesaid^c.

122. And be it enacted, That it shall be lawful for any One of the Commissioners, when required by One of Her Majesty's Principal Secretaries of State, or when the Board shall deem fit, to act in Ireland for the Purpose of carrying the Provisions of this Act into execution; and such one Commissioner shall, while acting there, have the same Power as is by this Act given to the Board of Com-

^a This section (120) is repealed by § 9 of 10 & 11 Vic. c. 90 (p. 161).

^b See § 3 of 10 & 11 Vic. c. 90 (p. 158).

^c See 8 & 9 Vic. c. 113, and 14 & 15 Vic. c. 99, in reference to admission of documents in evidence (Part I. 3).

missioners, except the Power to make General Rules: Provided always, that the whole of the Commissioners shall assemble in London, as often as they may deem necessary, but once at least in every Year, for the Purpose of submitting to One of Her Majesty's Principal Secretaries of State the General Report of their Proceedings^a.

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

but all the Commissioners to assemble in London when necessary, and not less than once a year.

ANNUAL REPORT.

123. And be it enacted, That there shall be laid annually before both Houses of Parliament, on or before the First Day of May, a General Report of the Proceedings of the Commissioners acting in Execution of this Act^b; together with an Account of the Expenditure upon the Relief of the Poor in each Union, and of the Total Number relieved in each Union during the Year ended on the First Day of January preceding^c.

Report to be laid annually before Parliament.

INTERPRETATIONS^d.

124. And be it enacted, That the Words and Expressions herein-after mentioned, which in their ordinary Use have a more confined or different Meaning, shall, in the Construction of this Act, except where the Context excludes such Construction, be interpreted as follows: every Word importing the Singular Number or the Masculine Gender only, shall be understood to include and shall be applied to several Persons, Matters, or Things, as well as one Person, Matter, or Thing, and Females as well as Males, respectively; the Word "Order" shall include General Rules; the Words

Interpretation Clause.

Words in Singular Number or of Masculine Gender.

"Order."

^a See 10 & 11 Vic. c. 90 (p. 156), § 1, 9, &c.

^b See § 21 of 10 & 11 Vic. c. 90 (p. 166), superseding the first clause of this section.

^c The latter clause of this section is repealed by § 29 of 10 Vic. c. 31 (p. 150), substituting 29th September for 1st January.

^d See § 80 for definition of "Rate-payer," and of "Tithe-owner" (p. 61): and § 64 for definition of "Net Annual Value," (p. 49).

- 1 & 2 Vic. c. 56.
 "General Rule^a." "General Rule" shall be construed to mean any Order relating to the Execution of this Act which shall at the time of issuing the same be addressed by the Commissioners to more than One Union or to more Institutions or Objects than One, when such Institutions or Objects shall not be contained in any One Union^a; the Word "Occupier" shall include every Person in the immediate Use or Enjoyment of any Hereditaments rateable under this Act, whether corporeal or incorporeal; the Word "Rent" shall include every Reservation or Sum or Value rendered either in Money or otherwise by any Tenant or under any Contract for or in respect of the Occupation, Use, or Enjoyment of any Hereditaments, corporeal or incorporeal, and also every Fee-farm Rent and Rent-seck and Rent-charge^b; the Word "Tithe" shall include Rent or Composition in lieu of Tithe^c, and also the Ministers' Money charged under an Act made
- "Occupier."
- "Rent."
- "Tithe^c."
 "Tithe-owner."

^a See definition of General Rules in § 15 of 10 & 11 Vic. c. 90 (p. 163).

^b See proviso at the end of § 79 (p. 61), exempting certain rent-charges by way of jointure or annuity on lives, from deduction for poor-rate.

^c Compositions for Tithes in Ireland were abolished by an act of the same session (passed 15 August, 1838), 1 & 2 Vic. c. 109, "an Act to abolish Compositions for Tithes in Ireland, and to substitute Rent-charges in lieu thereof." Under this act, Compositions in lieu of Tithes being abolished (§ 1), all lands previously subject to the payment of such compositions are charged (§ 7) "with an annual sum by way of Rent-charge, equal to three-fourths of such Compositions, and payable by the Party having the first Estate of Inheritance or other Estate or Interest equivalent to a perpetual Estate or Interest hereinafter defined:" and this Rent-charge is to be taken (§ 25) to be within the meaning of Tithes for the purposes of the Irish Poor Relief Act. The following are the terms of the 25th section of the act, 1 & 2 Vic. c. 109:—

Tithe Rent-charges to be deemed Tithes, under 1 & 2 Vic. c. 56.

"25. And be it enacted, That the said Rent-charges shall be deemed and taken to be Tithes within the Meaning of an Act passed in this present Session of Parliament, intituled '*An Act for the Relief of the Destitute Poor in Ireland*;' and that the persons entitled to the Receipt of such Rent-charges shall be deemed and taken to be Tithe-owners within the Meaning of that Act."

See definition of "Tithe-owner," for the purposes of this act, in § 80 (p. 61).

in the Parliament of Ireland in the Session holden in the Seventeenth and Eighteenth Year of the Reign of King Charles the Second, for Provision of Ministers in Cities and Corporate Towns in Ireland^a; the Words "Justice" or "Justices of the Peace" shall, when any Justice or Justices is or are empowered to do any magisterial or judicial Act^b, either singly or at Petty Sessions, include and extend to any Justice of the Peace, or any Magistrate of a County, County of a City, or County of a Town, or of any City or Town Corporate, or any Assistant Barrister.

1 & 2 VIC.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

"Justices."

"Net Annual
Value^c."

"Rate-
payer^d."

125. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

^a The act of 17 & 18 Car. 2, c. 7 (I.), here referred to, under which Ministers' Money has heretofore been levied in certain cities and towns, has now been repealed by 17 Vic. c. 11, which took effect from and after 1st October, 1854, and provides that "no allotment or charge of sums shall thereafter be made under the provisions" of the Act of Chas. II. For the provisions of 17 Vic. c. 11, see Part I. 3. The words of the present section, relating to Ministers' Money, are now virtually repealed, there being no similar provisions in the act of 1854, 17 Vic. c. 11, in reference to the Rates to be assessed and levied under the latter act, in lieu of the Ministers' Money heretofore charged under the act of Charles II.—See note ^b in p. 58.

^b See 6 Vic. c. 8 (in Part I. 3), enabling Justices to act, although they may be rate-payers in the Unions affected.

^c For definition of "Net Annual Value," see § 64 (p. 49).

^d For definition of the word "Rate-payer," see § 80 (p. 61).

The FIRST SCHEDULE to which this Act refers.^aREGISTRY OF PERSONS admitted into and discharged from the WORKHOUSE of the UNION^b.

No.	When admitted.	Name and Surname.	Sex.	Age.	Employment.	Married or Single.	Name of Wife or Husband.	Number of Children.	Townland in which resident.

The SECOND SCHEDULE to which this Act refers^c.

FORM OF RATE.

(For this Schedule, see p. 97.)

1 & 2 Vic.
c. 56,
IRISH POOR
RELIEF ACT,
1838.

The THIRD SCHEDULE to which this Act refers^d.

Schedule 3,
Form of
Occupier's
Requisition
to be rated
instead of
Lessor.

"I, A.B., Occupier of [*describe the Property as nearly as possible in the Manner in which it is described in the Valuation*] in respect of which B.C. [*the Lessor*] is now rated, hereby require to be rated as the Occupier of the same; and I do hereby undertake to pay all Rates lawfully made in respect of such Property under the Authority of the Act passed in the ^e— Year of the Reign of Her Majesty Victoria for the more effectual Relief of the destitute Poor in Ireland. A.B."

^a § 42, 43 (p. 34).^b See the Form of Workhouse Register, prescribed by the Commissioners' Accounts Order (in Part II. 4, Form 6), requiring some additional particulars to be recorded in this Register, which is to be kept by the Master of the Workhouse. A separate form of register of persons relieved out of the Workhouse, is prescribed, and is to be kept by the Clerk of the Union, in pursuance of § 11 of 10 Vic. c. 31, (p. 134): see Regulations and Form, in Accounts Order (Part II. 4, Form 19).^c § 65 (p. 50).^d § 72 (p. 55).^e Second.

The SECOND SCHEDULE to which this Act refers.

FORM OF RATE^a

A RATE for the Relief of the Poor of the _____ Union in the County of _____, made this _____ Day of _____ in the Year of our Lord One Thousand _____, on a Poundage of _____ pence in the Pound.

No.	Arrears due (if any.)	Name of Occupier.	Name of Owner.	Description of Property rated.	Name or Situation of Property.	Estimated Extent.	Net annual Value.	Landlords' Rates.	Tenants' Rates.	Landlords' Taxes and other Public Charges.	Tenants' Taxes and other Public Charges.	Landlords' Repairs and Insurance.	Tenants' Repairs and Insurance.	Landlords' other Expenses.	Tenants' other Expenses.	Gross annual Value.	Rate at the Pound. d. in
1	£ s. d. - - -	J. S.	J. G.	Land and Buildings	Whiteacre Farm	A.R.P.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
2	- - -	Do.	Do.	House and Garden,	In --- Street												
3	{ 0 0 7 1/2 }	J. P.	Do.	House, -	In --- Lane												
&c.	&c.	&c.	&c.	&c.	&c.												

DECLARATION OF GUARDIANS, &c.

WE _____, do declare the several Particulars specified in the respective Columns of the above Rate to be true and correct, so far as we have been able to ascertain them, to which End we have used our best Endeavours.

T _____ J _____
J _____ T _____
&c. &c. b

A. B., Clerk of the Union. b

^a § 65 (p. 50). This Form of Rate is superseded under 6 & 7 Vic. c. 92, § 10, and subsequent acts. For the Forms of Rates at present in use, see Commissioners' General Order of 9th September, 1850 (Part II. 6): and see Note preceding the Order.
^b See 6 & 7 Vic. c. 92, § 10 (p. 117): which requires that the Clerk should certify that the Rate, in regard to Value, is in conformity with the Valuation: and the rate, when adopted by the Guardians, is to be signed by the Chairman and two Guardians, in manner prescribed in the section referred to, and in the General Order of 9 September, 1850 (Part II. 6).

2 VICT. CAP. 1.

An Act to amend an Act of the First and Second Year of Her present Majesty for the more effectual Relief of the destitute Poor in *Ireland*.

[15th March, 1839.]

TOWNLANDS.

2 VIC. C. 1,
IRISH POOR
RELIEF
AMENDMENT
ACT,
1839.
§ 15.

§ 16.

§ 18.

§ 17, 18, 19,
20, 80-88.
§ 41-44.

§ 61-78.

§ 1. WHEREAS by an Act passed in the last Session of Parliament, intituled *An Act for the more effectual Relief of the destitute Poor in Ireland*, it is amongst other things enacted^a, that it shall be lawful for the Poor Law Commissioners from Time to Time, by Order under their Seal, to unite such and so many Townlands as they may think fit to be an Union for the Relief of the Destitute Poor; to declare any Union to be dissolved, or any Townland or Townlands to be added to or separated from such Union; to divide any Union into Electoral Divisions for the Election of Guardians, and to alter any Division from Time to Time as they may see fit, so nevertheless that in making or altering such Division no Townland shall be divided: and Provision is thereby further made^b for the Election of Guardians for every Electoral Division; for the Relief of the destitute Poor resident in such Electoral Divisions, and the charging of the Expense of such Relief thereon; and for making and levy-

^a 1 & 2 Vic. c. 56, § 15, 16, 18.

^b 1 & 2 Vic. c. 56, § 17-20, 80-88; § 41-44; § 61-78.

ing Rates within every such Electoral Division: And whereas the Boundaries of many Townlands are not accurately known, and Places exist which are not Townlands, or not known as Townlands; and Doubts have been entertained whether the Provisions of the said Act can be applied to such Townlands and Places; and it is expedient that such Doubts should be removed: Be it therefore declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Provisions, and all other Provisions of the said Act in any way relating to Townlands, shall be construed to extend and apply to every Place in *Ireland*, whether known as a Townland or not.

2 VIC. c. 1,
IRISH POOR
RELIEF
AMENDMENT
ACT,
1839.

Doubts as to
Places not
known as
Townlands:

Irish Poor
Relief Act
to extend to
every Place
in Ireland.

WARDS.

2. And be it enacted, That where in the Abstract of the Accounts of the Population taken by Authority of Parliament under an Act made in the Fifty-fifth Year of the Reign of King *George* the Third and the several Acts amending the same, the Population of any City, Borough, or Town, and the Suburbs thereof, shall be stated to exceed Ten Thousand,—or where the Population of any other Place shall be so stated to exceed Ten Thousand and the Area of such Place shall not exceed Three Miles for every Ten Thousand Persons,—it shall be lawful for the said Commissioners to constitute such City, Borough, or Town, and the Suburbs thereof, or such other Place, or any Part or Parts thereof respectively, an Electoral Division for the Purposes of the said Act; and, for the Purpose of conducting the Election of Guardians, from

Towns, &c.
with a Po-
pulation ex-
ceeding
10,000,
may be con-
stituted Elec-
toral Divi-
sions;
and may
be sub-
divided into
Wards for
the Election
of Guardians.

2 VIC. c. 1,
IRISH POOR
RELIEF
AMENDMENT
ACT,
1839.

Time to Time, to divide such Electoral Division into such and so many Wards, and to alter the same as they may see fit, and to determine and alter the Number of Guardians to be elected by the Rate-payers in every such Ward.

TOWNLANDS.

Places may
be declared
Townlands
for Purposes
of the Act.

3. And be it enacted, That it shall be lawful for the Commissioners, by Order under their Seal, to declare any Place not known to the said Commissioners as a Townland or Townlands to be, for the Purposes of the said Act, a Townland^a.

Boundaries
of Townlands
may be
declared by
the Commis-
sioners for
the Purposes
of the Act.

4. And be it enacted, That in every Case in which the Boundaries of any Townland, or of any Place declared by the Commissioners to be a Townland, shall not be determined and made known to the Commissioners, it shall be lawful for the said Commissioners, by Order under their Seal, to declare, for the Purposes of the said Act, the Boundaries of such Townland or Place; and the Boundaries so declared shall accordingly be deemed and taken to be the Boundaries of such Townland or Place, until the true Boundaries thereof shall be lawfully ascertained and made known to the Commissioners and until they shall have revoked such Order.

ELECTION OF GUARDIANS.

At Elections
of Guardians,
Rate-payers
to have votes,
according to
Scale, in any
Division in
which they
pay Rate:

5. And be it enacted, That in the Election of Guardians under the Provisions of the said Act^b, every Rate-payer^c who under the last Rate made in any Union, shall have paid or contributed or be liable to pay or contribute Rate in respect of Property in any Electoral Division, shall have a Vote or Votes in the election of Guardians in such Electoral Divi-

^a And under § 4, they may declare the boundaries of the same for poor law purposes.

^b § 17 21, 80-88, of 1 & 2 Vic. c. 56.

^c For definition of "Rate-payer," see § 80 of 1 & 2 Vic. c. 56 (p. 61).

sion, according to the Scale of Votes provided by the said Act^a.

2 VIC. c. 1,
IRISH POOR
RELIEF
AMENDMENT
ACT,
1839.

LOANS FOR PRELIMINARY EXPENSES.

6. And whereas, under the said Act, certain Expenses may be incurred in and about the Election of Guardians, in making Rates, Surveys, and Valuations, and in other respects, before any Rate can be levied or collected for the defraying of such Expenses; be it enacted, That, for the Purpose of defraying any Expenses to be incurred in carrying the Provisions of the said Act into execution previous to the levying of a Rate in any Union, it shall be lawful to borrow and charge upon the first Rate to be made and levied in such Union under the Provisions of the said Act, a Sum not exceeding Two hundred Pounds, with Interest thereon.

—
Sums not
exceeding
£200 may
be borrowed
to defray
Expenses
previous to
the levying
of a Rate.

CONVEYANCES OF LAND, &c.^b

7. And be it enacted, That all Conveyances or Assignments on the Purchase or Sale of any Lands, Tenements, or Hereditaments, by the Poor Law Commissioners, under the Provisions of the said Act^c, may be made according to the Form set forth in the Schedule hereunto annexed^d, or in such other Form or Forms as the Poor Law Commissioners shall from Time to Time direct, or as near thereto as the Number of Parties, the Nature of the Interests, and the Circumstances of the Case, will admit; and such Conveyances shall be valid and effectual in the Law, without Livery

Conveyances
made in the
Form set
forth in the
Schedule, to
be valid.

^a 1 & 2 Vic. c. 56, § 81 (p. 63).—That section gave the number of votes according to the scale, for the *whole Union*. The present section 5 of 2 Vic. c. 1, does not entitle a rate-payer to vote without fulfilling the conditions imposed by the previous act, but gives the right of voting in *each Division* in which the rate-payer may have rateable property, and entitles him to the number of votes that, according to the scale, such property would give in each such Division, such conditions being fulfilled.

^b See note ^b in p. 102.

^c See 1 & 2 Vic. c. 56, § 35–40 (p. 27–32).

^d Page 104.

2 VIC. c. 1,
IRISH POOR
RELIEF
AMENDMENT
ACT,
1839.

Money paid
into the
Bank of
Ireland;

where not
lodged to the
credit of Par-
ties, to be
lodged "*ex-
parte* the
Commis-
sioners."

Appeals
may be
heard at
Quarter
Sessions al-
though an
Assistant
Barrister
may not
preside.

of Seisin being made, or any Bargain and Sale to vest Possession being executed or recited or referred to, and without being enrolled, and shall have such Operation as in the said Act mentioned.

8. And be it enacted and declared, That so often as any Purchase or Compensation Money shall, under the Provisions of the said Act^a, be payable into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, and such Money shall not be placed to the Account of such Accountant General to the Credit of the Parties interested in the Lands, Tenements, or Hereditaments, under the Provisions in the said Act referred to, such Purchase or Compensation Money shall be placed to the Account of the said Accountant General "*ex parte* the Poor Law Commissioners."^b

APPEALS.

9. And whereas by the said Act it is provided^c, that if any Person or Persons shall find himself or themselves aggrieved by any Order or Conviction of any Justice or Justices, (except where such Justice shall be an Assistant Barrister,) where such Person or Persons shall be convicted in any Penalty or Penalties exceeding Five Pounds, or by any Rate made under this Act, or shall have any material Objection to any Person or Persons being put in or left out of such Rate, or to the Sum charged on any Person therein, it shall be lawful for such Person or Persons to

^a See 1 & 2 Vic. c. 56, § 39 (p. 31).

^b See further, in § 5 of 12 & 13 Vic. c. 104, by which the provisions of the Lands Clauses Consolidation Act, 1845 (8 & 9 Vic. c. 18), have since been incorporated with the Irish Poor Relief Acts, for the purpose of providing Workhouses under these acts (p. 189).

^c 1 & 2 Vic. c. 56, § 106 (p. 83), *et seq.*

appeal to any Sessions of the Peace to be held in the Presence of the Assistant Barrister in and for the County in which such Rate or such Order shall have been made or Conviction taken place, within Four Calendar Months next after the Cause of Complaint shall have arisen, or if such Sessions shall be held before the Expiration of One Calendar Month next after such Cause of Complaint, then such Appeal shall be made to the next following Sessions: And whereas certain Sessions of the Peace for Counties are not held in the Presence of Assistant Barristers, and it is therefore doubted whether Appeals under the said Act can be made to such Sessions; be it therefore declared and enacted. That every such Appeal may be made and heard, and the Matter thereof determined by any General or Quarter Sessions of the Peace held for the County, County of a City, or County of a Town, in which the Cause of Complaint may have arisen, in the same Manner in all respects as is provided by the said Act, although such Sessions be not held in the presence of an Assistant Barrister; and in the Case of an Appeal against a Rate, when the rateable Hereditament in respect of which the Rate is made and the Cause of Complaint arises, is situate within the Limits of the Jurisdiction of Two or more such Sessions, then to the Sessions of the Peace of a County in preference to that of a County of a City or Town; and when the Jurisdictions are of the same Nature, then to the Sessions which the Appellant shall choose to appeal to^a.

2 VIC. c. 1,
IRISH POOR
RELIEF
AMENDMENT
ACT,
1839.

Appeals
against Rate
where the
property is
in different
Jurisdic-
tions.

^a See further provisions as to Appeal against Rates 6 & 7 Vic. c. 92, § 7, 8 (p. 113-116); and 12 & 13 Vic. c. 104, § 22, 23 (p. 200). See also 6 & 7 Vic. c. 36, § 5, 6 (in Part I. 3) as to appeal in case of literary or scientific societies.

2 VIC. c. 1,
IRISH POOR
RELIEF
AMENDMENT
ACT,
1839.

RATES—CERTIORARI.

Removal
of Rates by
Certiorari;
provisions
repealed.

10. And be it enacted, That so much of the said recited Act^a as relates to the Removal by a Writ of Certiorari, of Rates made under the Provisions of the said Act, and to Applications and to the Persons making Application for such Removal, shall be and the same is hereby repealed.

11. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

SCHEDULE to which this Act refers^b.

Form of Conveyance or Assignment.

Schedule:
Form of Con-
veyance or
Assignment.

This Deed, made the — Day of —, One thousand eight hundred and —, by virtue of the Acts for the more effectual Relief of the destitute Poor in Ireland, witnesseth, That in consideration of the Sum of — to — [or into the Bank of Ireland] paid by —, he [or they] the said —, doth [or do] grant and convey [or assign and transfer] unto the said —, all [insert Description of the Property conveyed or assigned], with the Appurtenances, to hold the same unto the said —, their Successors and Assigns, [or his or their Heirs and Assigns, or Executors, Administrators, and Assigns, as the Case may require,] for ever [or for the Residue of a Term of — Years, commencing from the — Day of —, created by an Indenture dated the — Day of —, and made between —, or otherwise, as the Case may require.] In witness whereof the said — hath [or have] hereto set his Hand and Seal, [or their Hands and Seal, or their Seal, as the Case may require]; and the said — hath [or have] set his Hand and Seal [or their Hands and Seal, or their Seal, as the Case may require.]

^a 1 & 2 Vic. c. 56, § 114 (p. 88), et seq.

^b § 7 (p. 101).

6 & 7 VICT. CAP. 92.

6 & 7 VIC.
c. 92,
IRISH POOR
LAW
AMENDMENT
ACT,
1843.

An Act for the further Amendment of an Act
for the more effectual Relief of the destitute
Poor in *Ireland*.

[24th August, 1843.]

RATING OF LESSORS.

§ 1. WHEREAS it is expedient that certain Amendments should be made in the Provisions of an Act passed in the Session of Parliament held in the First and Second Years of the Reign of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in Ireland*, and of an Act passed in the Second Year of the Reign of Her present Majesty, to amend the same: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whenever the net annual Value of the whole of the rateable Hereditaments in any Union occupied by any Person or Persons having no greater Estate or Interest therein than a Tenancy from Year to Year, or holding under any Lease or Agreement, Leases or Agreements, made after the passing of this Act, shall not exceed Four Pounds^a,—or, in any Electoral Division situated wholly or in part within any of the Boroughs named in the Schedule annexed to this Act^b, shall not exceed Eight Pounds^c,—the Rate in re-

Lessor to be
rated where
Valuation of
Tenements is
not more
than £4 in
the Union,
or is under £8
in Divisions
comprising
certain
Boroughs:

^a If property so occupied by the same person in different divisions or in any parts of the Union, amount in the aggregate to more than £4 net annual value, such occupier is still liable to be rated.

^b i. e. the Boroughs of Dublin, Cork, Limerick, Belfast, and Waterford (p. 127).

^c The provisions of this section, so far as they relate to the liability of Immediate Lessors in the Boroughs of Dublin, Cork, Limerick, Belfast, and Waterford, for the rate in respect of tenements, the

6 & 7 Vic.
c. 92,
IRISH POOR
LAW
AMENDMENT
ACT,
1843.

and if Less-
sor's name be
unknown, he
may be rated
as "the Im-
mediate Les-
sor:"

Rate reco-
verable not-
withstanding
Error or
Defect in
Name.

Modes of
recovering
Rates from
Lessors:

by Action:

by Civil Bill;

spect of such Property shall, after the passing of this Act, be made on the Immediate Lessor or Lessors of such Person or Persons^a; and if at the Time of making any Rate, the Name of the Immediate Lessor be not accurately known to the Persons making the Rate, it shall be sufficient to describe him therein as "the Immediate Lessor," with or without any Name or further Addition; and such Rate shall be held to be duly made on him by such Description; and shall be recoverable from him accordingly, notwithstanding any Error or Defect in his Name or Description, or the entire Omission of his Name therein^b.

2. And be it enacted, That any Rate or Rates made as aforesaid on any Lessor in respect of any Property, whether occupied by One or more Occupiers, shall be recovered from him by all or any of the Remedies, Ways, and Means hereinafter mentioned; that is to say, by Action or Suit in the Name of the Guardians of the Union against such Lessor in any of the Superior Courts of Record in *Dublin*^c: or by Civil Bill in the

net annual value of which *does not exceed* £8, are repealed by the Parliamentary Voters Act of 1850, which, in lieu thereof, provides that Immediate Lessors are to be rated in those Boroughs in respect of tenements, the net annual value of which *is under* £8. If it amounts to £8, the occupier is the party to be rated as in other cases under the Poor Law Acts. For the provision in the Parliamentary Voters Act of 1850, see 13 & 14 Vic. c. 69, § 116 (in Part I. 3).

^a As to right of voting in the election of Guardians in respect of property for which Lessors are liable to pay rate, see 1 & 2 Vic. c. 56, § 80, 81, and notes thereon (p. 61-64). Where the Lessor is rateable under the present section, the Occupier is not entitled to vote, not being liable to rate.

It has been held that an Immediate Lessor rated by name under this section is entitled to vote like an occupier, although he may not have made a statement of claim under § 84 of 1 & 2 Vic. and § 24 of 6 & 7 Vic. c. 92: but he would not be entitled to double votes under the latter part of § 81 of the former act, without such statement.

^b Under § 21 of 12 & 13 Vic. c. 104, the names of Occupiers for whom the Immediate Lessor is primarily liable for the payment of Rate are also to be inserted in the Rate Book (p. 200): see Forms of Rate Book, in General Order of 9th September, 1850 (Part II. 6).

^c See further provisions in 12 & 13 Vic. c. 104, § 15-19, as to actions or suits for poor rate in superior courts (p. 195-8).

Court of proper Jurisdiction^a: or where such Lessor resides within any County in which such Union or any Part thereof is situate, whether the Property in respect of which such Rate is made be or be not within such County, the Collector of the Rate may, by Direction of the Guardians, leave at the Dwelling House of such Lessor a Notice^b, bearing Date the Day and Year of serving the same, subscribed with the Name and Abode of such Collector, requiring Payment of the Rate within Fifteen Days from the Date of such Notice, and expressing that within Fifteen Days the Money demanded may be paid to the Collector at his House or Office; and if such Rate be not paid within such Time, then it shall be lawful for such Collector to prefer a Complaint to any Justice of the Peace of the County in which the Lessor may so reside; and such Justice shall summon the Lessor so complained against to appear before him in Petty Sessions and answer the said Complaint, and shall at the Time specified in such Summons examine into the Matter of such Complaint on Oath, (which Oath the Justice is hereby empowered to administer), and shall direct the Payment to such Collector of such Sum of Money as he shall find due and payable as Rate by such Lessor, together with a Sum certain as and for such reasonable Costs and Charges as to such Justice shall seem meet; and in Default of the Appearance of such Lessor, or on his Refusal or Neglect forthwith to pay the Sum or Sums so by such Justice directed to be paid, it shall be lawful for such Justice, or for any

after Notice,
by Complaint
before a
Justice, and
Warrant of
Distress:

Costs.

^a See further provisions in 12 & 13 Vic. c. 104, § 29, 30, as to Civil Bill proceedings for recovery of Poor Rate (p. 205-6); and provisions of Civil Bills Act, 1851, 14 & 15 Vic. c. 57 (Part I. 3).

^b Form of Notice, No. 15 (in Part IV.).

6 & 7 VIC.
c. 92,
IRISH POOR
LAW
AMENDMENT
ACT,
1843.
—

Justice of the Peace for such County, to issue his Warrant authorizing or empowering the said Collector to levy the Money thereby ordered to be paid, by Distress and Sale of any Goods or Chattels of such Lessor which may be found within any Part of such County, rendering the Overplus, if any, to such Lessor, the necessary Charges and Expenses of distraining being first thereout deducted. as directed by such Justice; and if sufficient Distress cannot be found within the same County, then on Oath thereof made before any Justice of the Peace of any other County in which any of the Goods and Chattels of such Lessor may be found (which Oath such Justice shall administer and certify by indorsing in his Handwriting his Name on the Warrant granted to make such Distress), the Goods or Chattels of such Lessor shall be subject and liable to such Distress and Sale in such other County where the same may be found, and may by virtue of such Warrant and Certificate be distrained and sold in the same Manner as if the same had been found within such first-mentioned County: and in any such Action or Suit, or Civil Bill, or Complaint before a Justice of the Peace against such Lessor as aforesaid, no Lessee or Occupier of the Property in respect of which such Lessor shall be rated shall be disabled or prevented from giving Evidence therein by reason of his being such Lessee or Occupier, or of any Liability to pay Rate in respect of such Property: Provided always, that no Action shall be brought in any of the Superior Courts of Record in *Dublin* without the Consent of the Poor Law Commissioners^a.

Lessee or
Occupier
may give
Evidence in
such cases:

No Action
to be brought
without the
Commission-
ers' Consent.

^a See further provisions for simplifying and rendering more effectual proceedings for recovery of Rates by Action or Suit in the Superior Courts, and by Civil Bill, in 12 & 13 Vic. c. 104, § 15-19 (p. 195-8), and § 29, 30 (p. 205-6).

3. And be it enacted, That if such Rate be not paid by such Lessor within Four Calendar Months after the making thereof^a, it shall be lawful for the Guardians of the Union to give Notice in Writing, in the same Manner in which Summonses may be served under the said first-recited Act^b, to the Occupier or respective Occupiers of any such Property^c, to pay the Rate due in respect of the Property in his or their Occupation; and after the Expiration of One Calendar Month from the Time of giving such Notice, it shall be lawful to recover such last-mentioned Rate from every such Occupier, or, in his Default, from any subsequent Occupier, according to the Provisions of the said Act^d; and every Occupier so paying such Rate may deduct, from the Rent he may be then or next thereafter liable to pay in respect of any such Property, the whole of any Rate he may have paid in respect of the same Property; and if Rent sufficient to cover such Rate be not then or do not thereafter become due from such Occupier, he shall be entitled to recover the same from such Lessor by Civil Bill: and any Covenant or Agreement by which any such Occupier shall have covenanted or agreed to forego the Deduction of any such Rate, shall, so far as such Rate is concerned, be of no Effect^e.

4. And be it enacted, That where any House is let in separate Apartments or Lodg-

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If Rate not paid by Lessor within four months, it may be recovered from the Occupier, who may deduct the whole from Rent due to Lessor, or recover it from him.

Where Houses are let in lodgings, the

^a And see § 19 of 12 & 13 Vic. c. 104 (p. 198), limiting the time for proceeding for recovery of Rate from a party not primarily liable.

^b 1 & 2 Vic. c. 56, § 98 (p. 78).

^c Form of Notice to Occupiers in such cases, No. 16 (in Part IV.).

^d 1 & 2 Vic. c. 5, 6, § 73, 78 (p. 55, 59).

^e A similar provision in § 77 of 1 & 2 Vic. c. 56 (p. 59), as to covenants to forego deduction of Rate where the occupier is himself rateable, is repealed by § 12 of 12 & 13 Vic. c. 104 (p. 193). The present clause, as to the case of an Occupier, in default of the Immediate Lessor, paying the Rate for which the latter is liable, is not repealed, but remains in force.

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Lessor of the
Lodgings to
be rated for
the whole
House.

Modes of
recovering
Rate from
him :

If Rate not
paid by him
in Thirty-one
Day , it may
be recovered
from the
Occupiers
of the Lodg-
ings;

and be de-
ducted from
Rent or re-
covered from
Lessor of the
Lodgings:

Provisos :

separate rat-
ing of sepa-
rate portions
of Holding ;

Lodging-
houses, like
others, may
be rated to
immediate
Lessor of
whole House;

ings, no Tenant of any such Apartment or Lodging shall be liable to be rated in respect thereof, but the Rate shall be made in respect of the whole of such House upon the Immediate Lessor under whom such Apartments or Lodgings are held; and such Rate shall be recovered from such Lessor by all or any of the Remedies, Ways, and Means herein-before provided^a for the Recovery of Rates where Lessors may be rated: Provided always, that if such Rate be not paid by such Lessor within Thirty-one Days after the making thereof^b, it shall be lawful for the Collector to recover such Rate from any Person or Persons in Occupation of such Apartments or Lodgings, according to the Provisions of the said first-recited Act^c; and every Occupier of such Apartment or Lodging so paying such Rate, may deduct from the Rent he may be then or next thereafter liable to pay in respect thereof, the whole of any Rate he may have paid in respect of the same; and if Rent sufficient to cover such Rate and Money be not then or do not thereafter become due from such Occupier, he shall be entitled to recover the same from such Lessor by Civil Bill: Provided always that nothing herein contained shall prevent the separate Valuation and rating of such Portions of a Tenement as are held separately from the Remainder, and to which there is an exclusive Right of Ingress: Provided always, that nothing herein contained shall prevent the Rate in respect of such House as last aforesaid from being made under the Provisions herein-before contained on the Immediate Lessor under whom

^a § 2 (p. 106).

^b And see § 19 of 12 & 13 Vic. c. 104 (p. 198), limiting the time for proceeding against a person not primarily liable for the rate.

^c § 72, 78 of 1 & 2 Vic. c. 56 (p. 55, 59).

the whole of such House is held^a: Provided always, that nothing herein contained shall be construed to repeal or affect the Provisions of an Act of the Third and Fourth Year of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in Ireland*, which enables any Persons occupying any House, Warehouse, Counting-house, or Shop to claim to be rated to the Relief of the Poor in respect of such Premises respectively, whether the Landlord shall or shall not be liable to be rated to the Relief of the Poor in respect thereof, and to be enrolled as a Burgess under the Conditions provided in the said recited Act^b.

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Claims to be
rated under
Municipal
Corporations
Act not af-
fected.

5. And whereas it is provided by the said first-recited Act^c that in any Case where the net annual Value of any Property shall not amount to Five Pounds, if the Occupier and his Immediate Lessor by any Writing under their Hands shall require, and if the Guardians of the Union wherein such Property is situate shall, by a Minute of their Board agree thereto, such Immediate Lessor shall be rated instead of such Occupier; and whereas it is expedient to extend such Powers: Be it therefore enacted, That the same Powers, and all the Provisions incidental thereto^d, shall extend to any Case where the net annual Value of rateable Property exceeds Five Pounds^e.

Lessors of
Property of
any Value
above £5, as
well as under,
may be rated
instead of
Occupiers,
by written
Agreement
of both, with
Consent of
Guardians.

^a § 1 (p. 105). Under the first portion of § 4, the person who is tenant or lessee of the whole house, and who is the lessor of the lodgings therein, is to be rated; but where the net annual value of the house does not exceed £4 or is under £8, as the case may be, the immediate landlord of that person is to be rated under this proviso and § 1, as amended by 13 & 14 Vic. c. 69, § 116.

^b See Municipal Corporations Act, 3 & 4 Vic. c. 108, § 33 (in Part I. 3), for provisions enabling occupiers in such cases to be rated.

^c 1 & 2 Vic. c. 56, § 72 (p. 54).

^d 1 & 2 Vic. c. 56, § 72 (p. 54) : § 75 (p. 58).

^e § 72 of the previous act applies to cases where the valuation does not amount to £5; and the present section to cases where it

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All Goods
found on
Premises for
which Occu-
prier is liable
to pay Rate
may be dis-
trained.

6. And be it enacted, That in all Cases in which, under the said first-recited Act or this Act, it is made lawful to levy any Money by Distress and Sale of the Goods of any Person, all Goods and Chattels to whomsoever the same may belong, found on any Premises in respect of which any Person is or shall be rated as the Occupier, or as Occupier of which he is liable to pay the Rate^a, shall be liable to be distrained and sold as if they were the Goods and Chattels of such Person.

SURVEYS AND VALUATIONS FOR RATING.

Surveys and
Valuations.

7. And whereas in the said first-recited Act it is enacted^b, that it shall be lawful for the Commissioners, where they shall see fit, either to appoint or to direct the Guardians to appoint a fit professional Person or Persons to make a Survey and Valuation of all or any Hereditaments liable to be rated in any Townland within a Union, or to revise and correct any existing Survey or Valuation: And whereas Doubts have been entertained whether any such Person appointed by the Commissioners may enter on Lands and Buildings in like Manner as a Person appointed by the Guardians; and whereas Doubts have also been entertained as to the Extent to which a Valuation made by a Person appointed as first aforesaid is binding on the Guardians; and it is desirable to remove such Doubts, and to extend the Provisions herein recited; Be it enacted, That the Commissioners may from Time to Time appoint a fit and proper Person to make a Survey or Valuation, or revise or correct any Survey or Valuation already made

Valuations
of entire or
Parts of
Unions to be
made by a
Valuator ap-
pointed or
sanctioned
by the Com-
missioners.

exceeds £5. The terms used in these sections do not include properties valued at £5.

^a 1 & 2 Vic. c. 56, § 61, 71, 73, 78; and see § 3, 4, and 11 of the present act.

^b 1 & 2 Vic. c. 53, § 66 (p. 50).

or hereafter to be made of all or any rateable Hereditaments, whether for any Portion of a Union or for any One or more Unions; and that the Commissioners may, if they see fit, direct the Guardians of any Union to appoint a fit and proper Person to make such Survey or Valuation, or to revise or correct any Survey or Valuation now made or hereafter to be made; and every Person so appointed by the Commissioners^a may, for the Purpose of making or revising any Survey or Valuation, at all reasonable Times enter every Field, Garden, or other enclosed Land, and all Buildings (not being inhabited Dwelling Houses) situated within such Townland or District; and every such Valuation made or revised by the Person so appointed shall, when signed and sealed by the Commissioners^b, be the Valuation on which the Rates for such Townland, District, Union, or Unions shall be assessed and made; and it shall not be lawful for the Guardians in making any Rate to depart from or vary the Value as stated in such Valuation of any Hereditaments contained in such Rate, but every such Rate shall be assessed on the net annual Value as set forth in the Valuation so made and revised, and sealed by the Commissioners: Provided always, that on any Appeal against the Rate to any Sessions of the Peace under the said first and secondly recited Acts, it shall be lawful for the Assistant Barrister and Justices, or

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Valuators
may enter
Premises:

Rates to be
assessed upon
Valuations
so made,
which are
not to be de-
parted from:

Provisos:
Appeal
against
Rates to lie
as in former
Statutes;

^a Power of entry is given to a person appointed by the Guardians, under § 66 of 1 & 2 Vic. c. 56 (p. 51).

^b Under this provision it had been held to be unnecessary that a Valuation made or revised by a person not appointed by the Commissioners should be signed and sealed by them: but doubts having arisen in reference to the necessity of such signature and sealing, they are set at rest by the provisions of § 13 of 12 & 13 Vic. c. 104, which declares that it is not necessary for the Commissioners to sign and seal any Valuation unless they see fit to do so (p. 194). Further provision has since been made for a General Tenement Valuation under 15 & 16 Vic. c. 63: (see Valuation Acts, and introductory note thereon, in Part I. 3.)

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On receiving
Copy of
Order of
Court on Ap-
peal, Com-
missioners to
authorize
Alteration of
Valuation in
accordance
therewith.

for the Recorder, before whom such Appeal is brought to hear and finally determine the Matter of such Appeal, in like Manner to all Intents and Purposes as in the said Acts is provided^a, notwithstanding that such Valuation as herein-before mentioned has been so made or revised, and signed and sealed by the Commissioners: Provided also, that if on any Appeal against the Rate it shall be decided by such Assistant Barrister and Justices or Recorder, that any Hereditament is unfairly or improperly assessed in any Rate made in pursuance of such Valuation as aforesaid, a Copy of the Order of the Court amending such Rate shall be transmitted by the Clerk of the Peace or proper Officer of the Court to the Commissioners, who shall thereupon authorize in Writing the Alteration of such Valuation in Conformity with the Decision of such Court; and such Valuation so altered shall thenceforth be adhered to in making any future Rate, until the said Rate may be again amended as aforesaid on Appeal, or until the Commissioners shall see fit to appoint or sanction any Person or Persons to make a new Survey or Valuation as before, or to revise any existing Survey or Valuation^b.

APPEAL AGAINST RATES.

Court to
which Ap-
peal to be
made
against a
Rate.

8. And whereas by the said recited Act passed in the First and Second Years of Her Majesty's Reign the Power of Appeal^a against a Rate was given in certain Cases to any Ses-

^a 1 & 2 Vic. c. 56, § 106 (p. 83), *et seq.*; 2 Vic. c. 1, § 9 (p. 102); and see § 22, 23 of 12 & 13 Vic. c. 104 (p. 200): also 6 & 7 Vic. c. 36, § 5, 6 (in Part I. 3), as to appeal to quarter sessions respecting exemption of literary and scientific societies from rates.

^b See further provisions as to Valuation, in § 14 of 12 & 13 Vic. c. 104, under which the Valuation of Land is not to be increased in consequence of improvements made under the Land Improvement Act within seven years after such improvements (p. 194).

sion of the Peace to be held in the Presence of the Assistant Barrister in and for the County in which such Rate should have been made; and by the said Act passed in the Second Year of the Reign of Her Majesty^a it was enacted, that every such Appeal should be made and heard, and the Matter thereof determined, by any General or Quarter Sessions of the Peace held for the County, County of a City, or County of a Town in which the Cause of Complaint may have arisen, although such Session should not be held in the Presence of an Assistant Barrister: And whereas certain Unions extend over Portions of Counties, and Portions of Counties of Cities and Towns, and Doubts have arisen whether in such Case an Appeal against a Rate ought to be made to the Sessions of the Peace for the County, or County of the City or Town, in which the Workhouse of the Union is situate, or to the Sessions of the Peace in which the rateable Hereditament in respect of which the Appeal is intended to be made is situate; and it is expedient to remove such Doubts: Be it enacted, That in case the rateable Hereditament in respect of which any Appeal against a Rate is intended to be brought shall be situate or arise wholly within any County at large, or wholly within any County of a City or Town for which a General or Quarter Sessions of the Peace shall be held, the Appeal against such Rate shall be made to the Sessions of the Peace of the County or County of the City or Town (as the Case may be) within which such Hereditament shall be situate or arise; and in case such Hereditament shall be situate or arise partly within a County at large and partly within a County of

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—

Doubts re-
moved:

Sessions to
which Ap-
peal to be
made in cer-
tain Cases.

^a 2 Vic. c. 1, § 9 (p. 102).

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a City or Town for which a General or Quarter Sessions shall be held, then to the Sessions of such County at large or such County of a City or Town to which the Appellant shall choose to appeal.

INSPECTION, &c., OF VALUATIONS.

Inspection of
Valuations:
Repeal of
§ 69 of pre-
vious Act.

9. And whereas by the said first recited Act it is provided^a, "that before the first Rate shall be made in any Union under the provisions of the said Act, and also previously to the making of any subsequent Rate upon any new Valuation, the said Guardians shall give such Notice as the Commissioners shall direct of the Place and Period, not to be less than Twenty-one Days, at and during which the Valuation whereon it is proposed that a Rate shall be made of the rateable Property within the Union, may be seen; and such Valuation shall be shown at such Place and during such Period, by such Persons as the Guardians shall direct, and every Rate-payer within such Union shall be allowed at all Times between the Hours of Ten and Four during such Period to inspect such Valuation:" Be it enacted, That the same shall be and is hereby repealed; and That it shall be lawful for any Person or Persons affected by any Rate in force in any Union, at all Times between Ten o'clock in the Forenoon, and Four o'clock in the Afternoon, *Sundays* excepted, to inspect every Valuation on which such Rate shall have been made, and to take Copies thereof or Extracts therefrom, without paying anything for the same^b; and in case the Person or Persons having the Custody of any such Valuation refuse to permit such Person or Persons so affected

Valuation
may be in-
spected by
Persons
affected, at
Times stated:
and copies
or extracts
taken.

Penalty for
refusing
Copies or
Extracts.

^a 1 & 2 Vic. c. 56, § 69 (p. 52); hereby repealed.

^b Under 1 & 2 Vic. c. 56, § 70 (p. 53), persons affected by the rate may inspect and obtain copies or extracts from the rate also.

by the Rate as aforesaid to take Copies thereof or Extracts therefrom, the Person or Persons so refusing, or not permitting any such Copy or Extract to be made, shall for every such Offence forfeit and pay any Sum not exceeding Ten Shillings, to be recovered as Penalties and Forfeitures are recoverable^a under the said Act.

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FORM OF RATE.

10. And be it enacted, That the Provisions^b of the said first-recited Act by which it is required^c that certain Particulars set forth in a Form in a Schedule to the said Act annexed^d shall be inserted in the Rate Book, and that the Guardians or other Officers competent to the making of the Rate shall sign the Declaration at the Foot of the said Form, shall be and is^b hereby repealed ; and that it shall be lawful for the said Commissioners from Time to Time to prescribe the Form in which Rates shall be made, and the Particulars which shall be contained in the Rate Book_e; and that hereafter the Clerk to the Guardians or other Officers as aforesaid shall, at the Foot of every Rate, certify that such Rate, in so far as the Value of the Hereditaments therein assessed is concerned, is in Conformity with the Valuation in Force for the Time being ; and that after such Clerk shall have so certified, if the Board of Guardians shall adopt such Rate, the Chairman of the Day and Two or more of the Guardians present shall state at the Foot thereof that they

Form of
Rate and
Declaration
of Guar-
dians; Re-
peal of § 65
of Irish Poor
Relief Act.

Commission-
ers may pre-
scribe Form
of Rate; and
Clerk of
Union to
certify the
Value, and
Guardians to
allow the
Rate:

^a 1 & 2 Vic. c. 56, § 99, 103 (p. 78, 80). ^b Sic.
^c 1 & 2 Vic. c. 56, § 65 (p. 50) ; hereby repealed.
^d Schedule 2, p. 97.
^e For Forms of Rate Books prescribed by the Commissioners and now in force, see their General Order of 9th September, 1850, (in Part II. 6). See also § 10 & 21 of 12 & 13 Vic. c. 104 (p. 192, 200) and other acts referred to in note introductory to that Order.

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when Rate is
deemed to be
made.

Proviso as to
Form of
Rates in cer-
tain Bo-
roughs.

In County of
Dublin and
City, Rates
to be collect-
ed as in any
other County
in Ireland.

do allow the same, and shall sign such Allowance; and such Rate shall be deemed to have been made at the Time of the Signature of such Allowance: Provided always, that in respect of all rateable Hereditaments situated in any of the Boroughs named in the Schedules (A.) and (B.) annexed to the Act passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in Ireland*^a, or in any other Town to which a Charter of Incorporation may under the said Act be granted, the Rate Book shall, in Addition to any other necessary Particulars, contain^b an Account of the estimated net annual Value of such rateable Hereditaments, and an Estimate of the probable annual average Cost of the Landlord's Repairs and Landlord's Insurance.

11. And be it enacted, That every Rate made under the Authority of this or the said first-recited Act, on any Electoral Division in the County or the County of the City of *Dublin*, and any Money authorized and directed to be levied under any Warrant for the levying of Poor Rate^c in the said County or County of the City of *Dublin*, shall and may be collected and levied, sued for and recovered, by such and the same Ways and Means, and with the like Remedies and Powers in case of Non-payment, as the Grand Jury Cess or the Money applotted on the several Persons liable to pay the same may be collected and levied in any other County in *Ireland*^d.

^a 3 & 4 Vic. c. 108 (in Part I. 3).

^b See Form, No. 2, for poor rates in municipal towns, in Commissioners' General Order of 9th September, 1850 (Part II. 6).

^c See 1 & 2 Vic. c. 56, § 73 (p. 55).

^d See provisions of general Grand Jury Act for recovery of Cess, 6 & 7 Wm. 4, c. 116, § 152, 153, which are by this section specially extended to the recovery of poor rate in the County and the City of Dublin: and the 11 & 12 Vic. c. 26, § 6, to remove doubts, gives

RESIDENCE DETERMINING CHARGEABILITY.

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Residence
defined for
the Purpose
of charging
Relief to
Electoral
Division or
Union at
large.

12. And be it enacted, That, for the Purpose of charging the Expense of Relief to any Electoral Division^a, no Person shall, after the passing of this Act, be deemed to have been resident in such Electoral Division, unless during the Eighteen Calendar Months before his Admission into the Workhouse he have occupied some Tenement within such Division for Twelve Calendar Months, or (if he have not so occupied some Tenement) have usually slept within such Division for the Period of Twelve Calendar Months^b; and the Expense of the Relief of all other Persons who have not so occupied a Tenement, or slept within such Division, shall be borne by and charged against the whole Union in which they are relieved: and whenever any Person, after quitting the Workhouse of any Union, is again admitted within the Space of Six Calendar Months, the Expense incurred in respect of such Person shall be borne and charged in the same Manner as before his so quitting the Workhouse: Provided always, that every Child relieved at the same Time with any Person liable under the Provisions of the said first-recited Act to maintain such Child^c shall be deemed to have been resident with such Person, and its Relief shall be charged to the Electoral Division or Union, as the Case may be, accordingly.

the Divisional Justices in Dublin the same powers within their District, as Justices in Counties, in regard to the recovery of poor rates. The Dublin Rates Collection Act, 12 & 13 Vic. c. 91, (in Part I. 3) has since made provision for the collection of poor rates, as well as other rates or taxes, by a Collector General, within the City of Dublin. For these acts, see Part I. 3.

^a Under 1 & 2 Vic. c. 56, § 44 (p. 35).

^b See § 12 of 10 Vic. c. 31 (p. 135), and § 1 of 12 & 13 Vic. c. 104 (p. 184), laying down the rules to be observed in future in charging the expense of any person relieved.

^c § 53, 54, of 1 & 2 Vic. c. 56 (p. 42-3).

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—
Appeal from
the Decision
of Guardians
as to Resi-
dence, in
the Case of
any pauper
charged to an
Electoral
Division.

Costs.

13. And be it enacted, That if any Person be described in the Register Book as resident in any Electoral Division who has not so occupied a Tenement or so slept in such Division as aforesaid, it shall be lawful for the Guardian or Guardians of such Electoral Division, or a Majority of them, or for any Three or more of the Ten Persons rated on the largest Amount of net annual Value within the Electoral Division, with the Consent in Writing of the Commissioners first obtained, to appeal against the Decision of the Board of Guardians, in the same Manner as any Person aggrieved by an Order or Conviction of Justices may appeal under the said first and secondly recited Acts^a; and if the Justices and Assistant Barrister or Recorder do not see fit to award Costs to either Party, the Guardians shall charge their Costs to the whole of the Union; and if the Justices and Assistant Barrister or Recorder see fit to award Costs to the Respondents, the Guardians of the Union shall charge their Costs to the Electoral Division on whose Behalf the Appeal is entered: and if they see fit to award Costs to the Appellant, the Guardians of the Union shall pay such Costs, and shall charge the same to the Rest of the Union exclusively of such Electoral District.

RELIEF, &c. CHARGEABLE UPON RATES.

Deaf and
dumb or
blind Chil-
dren may
be sent to
Institutions
approved by
the Commis-
sioners, and
be paid for
out of Rates.

14. And be it enacted, That the Guardians of any Union may send any destitute poor deaf and dumb or blind Child under the Age of Eighteen to any Institution for the Maintenance of the Deaf and Dumb or Blind which may be approved of by the Commissioners, with the Consent of the Parents

^a 1 & 2 Vic. c. 56, § 106 (p. 83) *et seq.*: 2 Vic. c. 1, § 9 (p. 102): and see § 23 of 12 & 13 Vic. c. 104 (p. 200).

or Guardians of such Child, and may pay the Expense of its Maintenance there out of the Rates raised under the Authority of the said first-recited Act.

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1843.

15. And be it enacted, That it shall be lawful for the Guardians of any Union to pay out of the Rates raised under the Authority of the said first-recited Act, the Expense incurred in conveying any destitute poor Person from the Workhouse of the Union to any Fever Hospital or Lunatic Asylum, and in maintaining any such destitute poor Person in such Fever Hospital.

Removal of
Fever
Patients and
Lunatics
from Work-
house to
Hospital or
Asylum.

16. And be it enacted, That it shall be lawful for the Guardians of any Union, if they shall think fit, subject to such Regulations as the Poor Law Commissioners may from Time to Time prescribe, to provide Relief for poor Persons affected with Fever or other dangerous contagious Disease, in a House or Houses hired or rented for the Reception and Medical Treatment of such poor Persons during their Illness and Convalescence, or by appropriating for that Purpose such Portion or Portions of the Union Workhouses as the Guardians, with the Consent of the Poor Law Commissioners, shall consider it safe and convenient to be so applied ; and to charge the Expense so incurred on the Rates of such Union.

Hospital ac-
commodation
for Fever Pa-
tients, &c.
may be pro-
vided.

17. And be it enacted, That it shall be lawful for the Guardians of any Union to pay any Expense reasonably incurred in following, apprehending, or prosecuting any Person guilty of any Offence against the Provisions of the said first-recited Act or of any Act or Acts to amend the same.

Expenses of
prosecuting
Offenders
under these
Acts may be
paid out of
Rates.

EMIGRATION.

18. And be it enacted, That it shall be

Emigration
of Paupers

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—
in workhouse
may be as-
sisted by the
Guardians
at the Charge
of the Rates;
and in what
Manner:

Limit of
Expense.

lawful for Two Thirds of the Guardians of any Union, subject to the Regulations of the Commissioners, to be made with the Consent of Her Majesty's Principal Secretary of State for the Colonial Department, to assist any destitute poor Person who actually is and has been for Three Months an Inmate in the Workhouse of such Union^a, and who has been approved by the Commissioners, to emigrate to a *British* Colony, and to charge the Expenses of such Emigration on the Union or Electoral Division to which such destitute poor Person has been chargeable; but the Amount of such Expenses shall not in any One Year exceed Sixpence in the Pound of the net annual Value of the rateable Property in the Electoral Division or Union respectively: and it shall be lawful for Two Thirds of the Commissioners and Guardians respectively to exercise these Powers although no Meeting of the Rate-payers of such Electoral Division or Union have been held, anything in the said first-recited Act to the contrary notwithstanding^b.

EX-OFFICIO GUARDIANS.

In case of
Vacancy
amongst *ex-
officio* Guar-
dians, the
Commission-
ers may
appoint a
Day for Jus-
tices to fill up
such Va-
cancy.

19. And be it enacted, That in case the Number of the Justices appointed to act as *ex-officio* Guardians of any Union be reduced by the Death, Removal, or Disqualification^c of any such *ex-officio* Guardians during the Year for which he is appointed to serve, the Com-

^a By § 14 of 10 Vic. c. 31, the provisions of this section are extended to persons who are not inmates of the Workhouse, or have not been so for three months (p. 136).

^b See provisions as to emigration in 1 & 2 Vic. c. 56, § 51 (p. 40): and further provisions in 10 Vic. c. 31, § 13–15 (p. 135–138): and 12 & 13 Vic. c. 104 § 26–28 (p. 202–5), by which the powers for promoting and assisting Emigration are extended.

^c As, by becoming a Minister of Religion, Stipendiary Magistrate, Assistant Barrister, or Sheriff, or by ceasing to be a Justice resident in the Union and acting for the county in which he resided; 1 & 2 Vic. c. 56, § 23 (p. 16, and notes therein).

missioners may, by Order, appoint a Day before the Expiration of the Year, on which the Justices of the Peace residing in the Union may assemble at a Meeting to appoint, in the Manner provided by the said Act^a, another Justice to serve until the next Appointment of *ex-officio* Guardians for the same Union in the Place of every *ex-officio* Guardian who has so died, been removed, or become disqualified.

6 & 7 Vic.
c. 92,
IRISH POOR
LAW
AMENDMENT
ACT,
1843.
—

ELECTIONS OF GUARDIANS.

20. And be it enacted, that if any Person put in Nomination for the Office of Guardian in any Electoral Division or Ward, tender to the Officer conducting the Election of Guardians, his Refusal, in Writing, to serve such Office, the Election of Guardians, so far as regards such Person, shall be no further proceeded with in such Electoral Division or Ward^b.

Resignation
of Persons
nominated in
Election of
Guardians.

21. And whereas by the said first-recited Act it is provided^c, that in Case an Election of Guardians for any Electoral Division or for any Union shall not take place in Obedience to the Orders of the Commissioners, and in pursuance of the said Act, or in Case any Guardian duly elected shall neglect or refuse to act, the Commissioners shall order a fresh

Vacancies in
Number of
Elective
Guardians.

^a § 24 of 1 & 2 Vic. c. 56 (p. 17). The object of this section of the act of 1843 was to provide for filling up vacancies in the number of *ex-officio* Guardians, after their annual appointment under § 24 of 1 & 2 Vic. c. 56; but see amended provisions as to the selection of *ex-officio* Guardians, in § 16 of 10 Vic. c. 31 (p. 138), and § 7 of 12 & 13 Vic. c. 104 (p. 190): and Regulations and Circulars thereon (in Part II. 2).

^b A person put in nomination for a division, or for more divisions than one, may refuse to serve for all or for any of such divisions; but a person nominated for more than one division, who declines to act for any of the divisions for which he is nominated, may be elected for any other for which he is duly nominated and does not decline to act. A person nominated may thus himself withdraw from the election, but the person who nominates a candidate cannot afterwards withdraw the nomination which he has made.

^c 1 & 2 Vic. c. 56, § 25 (p. 19).

6 & 7 Vic.
c. 92.
IRISH POOR
LAW
AMENDMENT
ACT,
1843.
—

Election of Guardians for such Electoral Division, or shall declare the Place of such Guardian as aforesaid to be void, as the Case may be, and in such latter Case shall order a fresh Election of a Guardian in lieu of such Guardian as aforesaid; and whereas by the said secondly-recited Act, the like Provision is extended to Wards formed for the Election of Guardians; and whereas it is desirable that the Power to order a fresh Election should be extended to all Cases of Vacancy in the Office of Guardian, but it is in certain Cases expedient that a fresh Election should not be ordered before the Period for the next annual Election: Be it therefore enacted, That in every Case of Vacancy in the Office of Guardian, the Commissioners shall order a fresh Election if they think fit, but not otherwise, anything in the said Acts to the contrary notwithstanding.

Commissioners may order Election to supply Vacancies if they think fit, but not otherwise.

Persons convicted of specified Offences, disqualified from being Guardians.

22. And be it enacted, That no Person who has been convicted of Felony, Fraud, or Perjury,—nor any Person who has been adjudged to be liable to any Forfeiture^a for having provided, furnished, or supplied for his own Profit, any Materials, Goods, or Provisions for the Use of any Workhouse, or for having been concerned in furnishing or supplying the same or in any Contract relating thereto,—shall be capable of being elected or appointed or of acting as a Guardian.

Disputes as to Elections of Guardians may be inquired into and determined by the Commissioners by Order: which is

23. And be it enacted, That in case any Question arise as to the Right of any Person to act as an Elective Guardian, it shall be lawful for the said Commissioners, if they see fit, to inquire into the Circumstances of the Case, and to issue such Order or Orders therein, under their Hands and Seal, as they may deem

^a Under § 93 of 1 & 2 Vic. c. 56 (p. 72).

requisite for determining the Question; and no such Order shall be liable to be removed by Writ of Certiorari into the Court of Queen's Bench, unless the Application for such Writ be made during the Term next after the issuing of such Order^a.

6 & 7 Vic.
c. 92.

removable
by Certiorari
into Queen's
Bench only
within the
next term.

24. And whereas by the said first-recited Act it is provided^b, that no Rate-payer shall be entitled to vote, either in Person or by Proxy, in respect of any Property not in his actual Occupation, or to give any Vote in Addition to the Vote or Votes to which he would be entitled as an Occupier paying Rent equal to the net annual Value of the Property in his actual Occupation^c, unless he or his Proxy shall, One Week at the least previous to the Day on which he shall claim to vote, have given a Statement in Writing of his Name and Address, and the Description of the Property in respect of which he claims to vote, and of his Interest therein,—and if such Proxy shall claim to vote, the original or an attested Copy of the Writing appointing such Proxy,—to the Guardians, or some Person acting as the Returning Officer of the Election of Guardians: and whereas the Period of One Week between the giving of such Statements, Descriptions, and Writings and the Day of the Voting, is not sufficient for the due Examination of such Statements, Descriptions, and Writings; Be it enacted, That no Rate-payer shall be entitled to vote as aforesaid, or to give such additional Vote as aforesaid, until One Calendar Month after the said Statement and Description, and in the Case of a Proxy until One Calendar Month after the said Original or Copy of his

Claims to
vote of
Owners and
Proxies:

their State-
ments must
be lodged
One Month
before they
can vote.

^a See 1 & 2 Vic. c. 56, § 114 (p. 88) *et seq.*, as to removal of Orders into Queen's Bench by Certiorari.

^b See 1 & 2 Vic. c. 56, § 84 (p. 65).

^c Under § 81 of 1 & 2 Vic. c. 56 (p. 63.)

6 & 7 VIC.
c. 92,
IRISH POOR
LAW
AMENDMENT
ACT,
1843.

Penalty for
making or
tendering
false Claims,
Voting Pa-
pers, &c.
and for alter-
ing or sup-
pressing
Nomination
or Voting
Papers, &c.

Appointment, have been given to the Guardians or other Person as aforesaid.

25. And be it enacted, That if any Person shall knowingly and fraudulently, and with the Intent of giving a greater Number of Votes than he is by Law entitled to give, tender or forward to the Returning Officer a false Statement of the Grounds on which he claims to vote or give additional Votes; or shall forge, falsify, or knowingly or fraudulently alter after Signature, any Paper containing a Statement of Claim to vote, Proxy, Nomination, or Vote for the Election of Guardians, or Refusal to serve the Office of Guardian; or shall conspire to forge, falsify, or so alter any such Paper; or shall knowingly tender or forward to the proper Officer any such Paper forged, falsified, or so altered as aforesaid; or shall wilfully suppress, carry off, destroy, or deface any Statement of Claim to vote, Proxy, or Nomination of a Candidate for the Office of Guardian, after the same shall be duly signed; or shall in like Manner suppress, carry off, destroy, or deface any Voting Paper after the same shall have been issued by the Returning Officer;—he shall forfeit not more than Ten Pounds, to be recovered as Penalties and Forfeitures under the said first-recited Act^a.

Returning
Officer may
refuse Vote
in respect of
Rent, in Case
of Doubt,
until Proof
be given in
Support of
Claim.

26. And be it declared and enacted, That if at any Election of Guardians the Returning Officer have reasonable Cause to doubt the Correctness of any Claim to vote made by any Person in respect of Rent received and retained by such Person, such Returning Officer shall not admit such Person to vote in such Election in respect of such Rent, until such Person produce Evidence, to the Satis-

^a 1 & 2 Vic. c. 56, § 99, 103 (p. 78, 80): and for Forms which may be adapted to proceedings for recovery of penalties under this section, see Part IV.

faction of such Returning Officer, of the Amount of such Rent.

6 & 7 VIC.
c. 92,
IRISH POOR
LAW
AMENDMENT
ACT,
1843.

RATE-PAYERS, &c., AS WITNESSES.

27. And be it enacted, That no Rate-payer or Person liable to be rated in any Union, and no Guardian or paid or unpaid Officer of any Union, being as such Guardian or Officer only a nominal Party to any Trial, Appeal, or other Proceeding, and liable only to contribute Costs in respect thereof in common with other Rate-payers of such Union, shall be disabled or prevented from giving Evidence on any Trial, Appeal, or other Proceeding, by reason only of his being such Rate-payer, or so liable to be rated, or of his being such a Party, or so liable to Costs as aforesaid^a.

Rate-payers
and nominal
Parties not
thereby in-
competent as
Witnesses.

28. And be it enacted, That the said recited Acts and this Act shall be construed as One Act, except so far as the Provisions of any One of such Acts may repeal or alter the Provisions of any previous Act.

Recited Acts
and this Act
to be con-
strued as
One Act.

29. And be it enacted, that this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

Act may be
amended this
Session.

SCHEDULE to which this Act refers^b.

Dublin,		Limerick,		Waterford.
Cork,		Belfast, and		

^a See also 1 & 2 Vic. c. 56, § 104 (p. 82); and 6 Vic. c. 8, and 12 Vic. c. 46, § 4, in Part I. 3.

^b § 1 (p. 105): Names of Boroughs, in the Electoral Divisions of which the Immediate Lessor was rateable for tenements *not exceeding* £8 net annual value, instead of the occupier; but under the Parliamentary Voters Act of 1850,—13 & 14 Vic. c. 69,—the provisions of § 1 of this act, are altered so as to make the Immediate Lessor rateable only where the net annual value is *under* £8: where it *amounts to* £8 or more, the occupier is rateable as in other cases.

10 VICT. CAP. 31.

10 VIC. c. 31,
IRISH POOR
RELIEF
EXTENSION
ACT,
1847.

An Act to make further Provision for the Relief of the destitute Poor in *Ireland*.

[8th June 1847.]

RELIEF.

1 & 2 Vic.
c. 56.

2 Vic. c. 1.
6 & 7 Vic.
c. 92.

Guardians to
provide for
the Relief of
destitute
Persons:

Classes who
may be re-
lieved in or
out of the
Workhouse.

§ 1. WHEREAS by an Act passed in the Second Year of the Reign of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in Ireland*, and by subsequent Acts amending the same, Provision has been made for the Relief of the Poor in Workhouses by the Guardians of the Poor in the several Unions in *Ireland*; and whereas the Powers of the said Guardians of the Poor have not been found sufficient for the due Relief of the destitute Poor; and it is expedient to make further Provision in that Behalf: Be it enacted by the Queen's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Guardians of the Poor of every Union in *Ireland* shall make Provision for the due Relief of all such destitute poor Persons as are permanently disabled from Labour by reason of old Age, Infirmary, or bodily or mental Defect,—and of such destitute poor Persons as, being disabled from Labour by reason of severe Sickness, or serious Accident, are thereby deprived of the Means of earning a Subsistence for themselves and their Families whom they are liable^a by Law to maintain,—and of destitute poor Widows having Two or more legitimate Children dependent upon

^a § 53, 54 of 1 & 2 Vic. c. 56 (p. 42-3); and § 8 of present act (p. 133).

them; and it shall be lawful for the said Guardians to relieve such poor Persons, being destitute as aforesaid, either in the Workhouse or out of the Workhouse, as to them shall appear fitting and expedient in each individual Case: and the said Guardians shall take order for relieving and setting to work in the Workhouse of the Union, at all Times when there shall be sufficient Room in the Workhouse of the Union to enable them so to do, such other Persons as the said Guardians shall deem to be destitute Poor and unable to support themselves by their own Industry or by other lawful Means^a.

10 VIC. c. 31,
IRISH POOR
RELIEF
EXTENSION
ACT,
1847.

2. And be it enacted, That if at any Time it shall be shown to the Satisfaction of the Poor Law Commissioners, that by reason of the Want of Room in the Workhouse of any Union, or in such additional Workhouse or Workhouses as may have been or may be provided for the Reception and Maintenance of the Poor of such Union, adequate Relief cannot be afforded therein to destitute poor Persons, not being Persons permanently disabled, or destitute poor Persons disabled by Sickness or Accident as aforesaid, or such destitute poor Widows as aforesaid,—or that the Workhouse or Workhouses of any Union, as the Case may be, by reason of Fever or infectious Disease, is or are unfit for the Reception of poor Persons,—it shall be lawful for the said Commissioners from Time to Time, by Order under their Seal, to authorize and empower the Guardians of such Union to administer Relief out of the Workhouse to such destitute poor Persons for any Time not exceeding Two Calendar Months from the

Out-door
Relief to
other classes
may be au-
thorized by
Commission-
ers under
certain cir-
cumstances.

^a See further provision in § 7 (p. 132), for relief in cases of sudden and urgent necessity, and in 11 & 12 Vic. c. 47, § 2, 4 (p. 173-4), for relief of persons who become destitute in consequence of eviction from their dwellings.

10 VIC. c. 31,
IRISH POOR
RELIEF
EXTENSION
ACT,
1847.
—

Out-relief to
Able-bodied,
when autho-
rized, to be in
Food only.

Date of such Order,—and at any Time after the making of such Order to revoke the same by an Order under their Seal for that Purpose; and on the Receipt by the Guardians of any Union of any such Order authorizing Relief out of the Workhouse as aforesaid, they shall make Provision for the Relief of the destitute poor Persons of the said Union accordingly, for such Time as shall be specified in the said Order, or until the said Order shall be revoked: Provided always, that all Relief given out of the Workhouse to able-bodied Persons under the Authority of any such Order shall be given in Food only, save as hereinafter provided in any Case of sudden and urgent Necessity^a.

REGULATION OF OUT-DOOR RELIEF.

Commission-
ers to make
Regulations
as to Admi-
nistration of
Relief.

Officers to be
subject to
such regula-
tions.

3. And be it enacted, That the Poor Law Commissioners, from Time to Time, as they shall see fit, shall regulate and determine the Manner of Application for all Relief to be given under the Provisions of this Act, and the Manner of inquiring into the Circumstances of the Applicants for Relief, and the Kind of Relief to be afforded out of the Workhouse, when not directly specified by this Act, and the Manner of granting, ordering, and giving such Relief, and keeping the Accounts thereof, and of making and keeping Lists of the Persons so applying and of the Persons so relieved; and the Guardians of the Union and their Officers shall administer such Relief, subject to the Rules and Regulations so to be made by the said Commissioners as aforesaid^b.

^a See § 7 as to provisional relief in cases of sudden and urgent necessity, in manner therein provided (p. 132).

^b See regulations in Commissioners' General Regulations of 19 Jan. 1852; and in Accounts Order of 8 April, 1853, with Forms of Books and Accounts, (in Part II. 2. 4.)

RELIEVING OFFICERS.

10 VIC. c. 31,
IRISH POOR
RELIEF
EXTENSION
ACT,
1847.

—
Relieving
Officers to be
appointed.

4. And be it enacted, That the Poor Law Commissioners shall direct the Guardians of each Union in *Ireland* to appoint so many Relieving Officers as the said Commissioners may deem requisite, to assist in the Administration of Relief under this Act and under the Acts now in force for the Relief of the destitute Poor in *Ireland*^a; and the said Guardians, on receiving such Authority and Direction, shall appoint such Relieving Officers accordingly, subject to the Approval of the said Commissioners.

MEDICAL OFFICERS.

5. And be it enacted^b, That in any Case in which it shall appear to the Poor Law Commissioners that the Appointment of a Medical Officer or Medical Officers, for affording Medical Relief out of the Workhouse in any Union, is necessary and expedient, it shall be lawful for the Commissioners to direct the Guardians of the Union to appoint a Medical Officer or Medical Officers; and the Guardians, on the Receipt of such Authority and Direction, shall appoint a Medical Officer or Medical Officers accordingly, subject to the Approval of the said Commissioners.

Medical
Officers may
be appointed,
for affording
Medical
relief out of
the Work-
house.

DISTRICT COMMITTEES OF GUARDIANS.

6. And be it enacted, That whenever the whole of any Electoral Division or Divisions is situate at a greater Distance than Six Miles from the Place of Meeting of the Board of

Electoral
Division or
Divisions
more than
Six Miles
from Guar-
dians' Place

^a Regulations as to the appointment, duties, &c. of Relieving Officers, in Commissioners' General Regulations of 19 Jan. 1852 (Part II. 2;) and in Accounts Order of 8 April, 1853 (Part II. 4).

^b For particulars as to orders issued under this section for the appointment of such Medical Officers, see note ^a in p. 214. This section is now superseded by § 10 of the Dispensaries Act, 14 & 15 Vic. c. 68, which puts an end to all provision for affording Dispensary relief from poor-rate, (except under the new system established by that act,) as well as from Grand Jury Cess (p. 214).

10 VIC. c. 31,
IRISH POOR
RELIEF
EXTENSION
ACT,
1847.

of Meeting,
may be
formed into
a District for
receiving
Applications
for Relief
&c.: and
Committee
be appointed.

Guardians of the Union of which such Electoral Division or Divisions may form Part, it shall be lawful for the Commissioners, on the Application of the Board of Guardians, to form such Electoral Division or Divisions into a District, and to direct the said Guardians, from Time to Time, to appoint a Committee of their Members to receive Applications of poor Persons requiring Relief in such District, to examine into the Cases of such poor Persons, and to report to the said Guardians thereon.

POWERS AND DUTIES OF RELIEVING OFFICERS.

Relieving
Officers may
give provi-
sional Relief
in manner
provided,
until next
Meeting of
Guardians;

and to report
same to the
Guardians.

Relieving
Officers to be
furnished
with Funds
for such
relief.

7. And be it enacted, That every Relieving Officer so appointed as aforesaid^a shall have Power to give provisional Relief in any Case of sudden and urgent Necessity, either by an Order of Admission to the Workhouse or Fever Hospital of the Union, provided there be Room therein respectively, and by conveying any destitute poor Person thereto if necessary, or by affording such poor Person immediate and temporary Relief in Food, Lodging, Medicine, or Medical Attendance, until the next Ordinary Meeting of the Board of Guardians; at which Meeting he shall report the Case, and the Nature and Cost of the Relief so afforded, in such Form and Manner as the Poor Law Commissioners shall prescribe^b; and after such Report, shall give no further Relief, otherwise than by Direction of the Board of Guardians, in the Case so reported: and the Guardians of the Union shall furnish the Relieving Officers with the necessary Funds for affording Relief in Manner aforesaid, and for the Relief of those destitute poor Persons to whom Relief shall be

^a § 4.

^b Regulations as to the appointment, duties, &c. of Relieving Officers, in Commissioners' General Regulations of 19 Jan. 1852 (Part II. 2;) and in Accounts Order of 8 April, 1853 (Part II. 4).

granted by the Board of Guardians, at such Times and in such Manner as the Poor Law Commissioners shall determine and direct^a.

10 VIC. c. 31,
IRISH POOR
RELIEF
EXTENSION
ACT,
1847.

LIABILITIES OF PARENTS AND CHILDREN.

8. And be it enacted, That all Relief given under this Act to a Wife or Child shall be considered as given to the Person who under the Provisions of the first-recited Act shall be liable to maintain such Wife or Child^b; and the Child of any poor Person relieved under this Act shall be subject to the same Liability in respect of such Relief as in respect of any Relief granted under the above-recited Act passed in the Second Year of the Reign of Her present Majesty^c.

Relief to
Wife or
Child under
15, to be
Relief to
Husband or
Parent.

Liability of
Children.

LIMITATIONS OF RELIEF.

9. And be it enacted, That no Relief given under the Authority of this Act shall be given from the Poor Rates of any Union to any Person not being within the Union when so relieved.

Relief not to
be given out
of the Union
to which it
is charged.

10. And be it enacted, That from and after the First Day of *November* next after the passing of this Act, no Person who shall be in the Occupation of any Land of greater Extent than the Quarter of a Statute Acre shall be deemed and taken to be a destitute poor Person under the Provisions of the first-recited Act, or of the Acts amending the same, or of this Act; and if any Person so occupying more than the Quarter of a Statute Acre shall apply for Relief, or if any Person on his Behalf shall apply for Relief, it shall

Occupiers of
more than a
Quarter of an
Acre of Land
not deemed
to be desti-
tute:

nor to be
relieved out
of Poor
Rates.

^a Regulations as to the appointment, duties, &c. of Relieving Officers, in Commissioners' General Regulations of 19 Jan. 1852 (Part II. 2;) and in Accounts Order of 8 April, 1853 (Part II. 4). And see provisions of 11 & 12 Vic. c. 47, § 4, as to duties of Relieving Officers in regard to destitute poor evicted from their dwellings (p. 174).

^b 1 & 2 Vic. c. 56, § 53 (p. 42). The present provision is similar to that in § 54 of 1 & 2 Vic. c. 56 (p. 43): and see note ^b in p. 42.

^c 1 & 2 Vic. c. 56, § 57 (p. 44). Forms, No. 44, 45, (in Part IV.).

10 VIC. c. 31,
IRISH POOR
RELIEF
EXTENSION
ACT,
1847.

not be lawful for any Board of Guardians to grant such Relief, within or out of the Workhouse, to any such Person^a.

CHARGEABILITY BY RESIDENCE—REGISTER.

Mode of
charging cost
of Out-door
Relief.

Register:

Residence.

11. And be it enacted, That for the Purpose of charging the Relief afforded out of the Workhouse under the Provisions of this Act, the Poor Law Commissioners shall cause to be printed, and shall furnish to every Clerk of an Union in *Ireland*, a Register Book, to be called "The Out-door Relief Register" (in a Form similar to the Workhouse Register prescribed by the first-recited Act)^b; in which the Clerk of the Union shall register, together with the other Particulars in the said Form required, the Name of the Electoral Division in which every Person relieved under this Act, out of the Workhouse, shall have been resident at the Time of his beginning to receive such Relief: and all the Provisions of the said Acts now in force for the Relief of the destitute Poor in *Ireland*, which determine the Circumstances under which any Person shall be deemed to have been resident in an Electoral Division, and the Manner of charging the Expense of the Relief of Persons stated in the Register to have been so resident in some Electoral Division, and of Persons not stated in the Register to have been so resident^c,—and all the Provisions of the said Acts

^a See Circulars and Opinions of Counsel as to surrender of land and as to administration of relief to families in such cases, (in Part III. 2).

^b See 1 & 2 Vic. c. 56, § 42, under which the Master is to keep the Workhouse Register, (p. 34): Schedule, and Form of Workhouse Register prescribed in the Commissioners' Accounts Order (p. 96 and Part II. 4, Form 6). Regulations, and Form of Out-door Relief Register, in the same Order (Part II. 4, Form 19.)

^c For provisions of previous acts as to residence and chargeability, see § 44 of 1 & 2 Vic. c. 56 (p. 35): and § 12 of 6 & 7 Vic. c. 92 (p. 119). See also § 12 of present act, and § 1 of 12 & 13 Vic. c. 104 (p. 184), regulating the chargeability of persons relieved in future.

which relate to the Production of the Register at every Meeting of Guardians for their Approval, Examination, and Correction, and the signing and countersigning of the same^a,—and all Provisions of the said Acts which relate to the Power of appealing against the Decision of the Board of Guardians touching the Description of the Residence of any Person in the said Register, and to the Costs which may be incurred in such Appeal^b,—shall extend and apply to the Out-door Relief Register to be kept as aforesaid under the Provisions of this Act, and to the Persons relieved under this Act out of the Workhouse, and to the Manner of charging the Expense of the Relief so afforded to such Persons under this Act, and to the Decisions^c of the Board of Guardians touching the Description of the Residence of any Person in the Out-door Relief Register.

10 VIC. c. 31,
IRISH POOR
RELIEF
EXTENSION
ACT,
1847.

Appeal.

12. And be it enacted, That for the Purpose of charging the Expense of Relief to any Electoral Division^d, no Person shall, after the passing of this Act, be deemed to have been resident in such Electoral Division, unless during the Three Years before his Application for Relief he had occupied some Tenement within such Division for Thirty Calendar Months, or, if he had not so occupied some Tenement, had usually slept within such Division for the Period of Thirty Calendar Months.

What to constitute Residence in an Electoral Division, for the purpose of charging relief.

EMIGRATION.

13. And be it enacted, That if it shall be proved to the Satisfaction of the Board of Guardians at any Time, that any Occupier of

Assistance for Emigration of persons holding Land:

^a For provisions as to examination and signing, &c., of Register; see § 43 of 1 & 2 Vic. c. 56 (p. 35).

^b Appeal and Costs, see § 13 of 6 & 7 Vic. c. 92 (p. 120). ^c Sic.

^d See § 44 of 1 & 2 Vic. c. 56 (p. 35), and § 12 of 6 & 7 Vic. c. 92 (p. 119). And see further provisions on this subject, in § 1 of 12 & 13 Vic. c. 104 (p. 184), regulating the chargeability of persons hereafter relieved.

10 VIC. c. 31,
IRISH POOR
RELIEF
EXTENSION
ACT,
1847.

Proportion of
Expense of
such Emigra-
tion to be
borne by
Landlord;

Proportion of
expense that
may be paid
out of Rates.

Land within such Union, rated at a net annual Value not exceeding Five Pounds, shall be willing to give up to his Landlord his Right and Title, and the actual Possession of the said Land, whether held under Lease or as Tenant at Will, and to emigrate, together with all Persons who may be dependent upon him for their Support and Maintenance,—and that such Occupier shall have been approved by Her Majesty's Principal Secretary of State for the Colonies, or such Person as he may appoint for that Purpose, as a fit and proper Person to be admitted as an Emigrant,—and that the Immediate Lessor of such Occupier is willing, upon the Emigration of such Occupier and his Family, and upon the Surrender of the Land occupied by him, to forego any Claim for Rent which he may have upon the said Occupier, and also to provide Two Thirds of such fair and reasonable Sum as shall be required for the Emigration of such Occupier and his Family,—then and in such Case it shall be lawful for the Board of Guardians of such Union, if they shall think fit, upon Payment to them of such last-mentioned Sum, to charge upon the Rates of the Electoral Division in which such Person shall be resident, and to pay, in addition to such Sum, in such Manner as shall be directed by the Poor Law Commissioners, in Aid of the Emigration of such Occupier and his Family, any Sum not exceeding One Half of the Sum contributed and paid by such Immediate Lessors as aforesaid; notwithstanding that any Sum or Sums so charged and paid may exceed in any One Year One Shilling in the Pound on the Rates of such Electoral Division^a, and not-

^a The limitation of expense in § 51 of 1 & 2 Vic. c. 56 (p. 41), which is not applicable to emigration under this section.

withstanding that such Occupier and his Family may not be nor have been Inmates of the Workhouse of such Union^a.

10 Vic. c. 31,
IRISH POOR
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EXTENSION
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1847.

14. And whereas by an Act passed in the Seventh Year of the Reign of Her present Majesty, intituled *An Act for the further Amendment of an Act for the more effectual Relief of the destitute Poor in Ireland*. Provision is made for assisting any poor Person who is and has been for Three Months an Inmate of the Workhouse of any Union to emigrate^a; and it is expedient to extend the said Enactment to Persons not being and not having been Inmates of any Workhouse for the period of Three Months; be it therefore enacted, That all the Provisions in the said Act which relate to the Emigration of poor Persons who are and have been for Three Months, Inmates of any Workhouse^a, shall also extend and apply to destitute poor Persons not being or not having been Inmates of any Workhouse, and to Persons having been Inmates of a Workhouse for a less period than Three Months; provided that all Persons so assisted to emigrate shall have been approved as fit and proper Emigrants by Her Majesty's Principal Secretary of State for the Colonies or such Person as he may appoint for that purpose^b.

Emigration
of destitute
persons:
extension of
provisions in
6 & 7 Vic.
c. 92.

15. Provided always, and be it enacted, That all Expenses incurred in aid of the Emigration of any Occupier and his Family under the Provisions of this Act^c, shall be charged to the Electoral Division in which the Land occupied by such Occupier is situated; and no Expenses incurred in aid of the Emigration of any Occupier and his Family^c, or any destitute poor Person^d, under the Pro-

Expenses of
Emigration,
how to be
charged.

Expenses of
Emigration
not to be
deemed
Relief.

^a § 18 of 6 & 7 Vic. c. 92 (p. 121).

^b See further provisions as to Emigration in 12 & 13 Vic. c. 104, § 26-28 (p. 202-5), under which emigrants may be sent out to Foreign States as well as British Colonies.

^c § 13.

^d § 14.

10 VIC. c. 31,
IRISH POOR
RELIEF
EXTENSION
ACT,
1847.

visions of this Act or any of the Acts for the Relief of the destitute Poor in Ireland, shall be deemed to be Expenses incurred for the Relief of the Poor^a.

EX-OFFICIO GUARDIANS.

Ex-officio
Guardians:
limitation of
number, in
1 & 2 Vic. c.
56, repealed.

Who to be
Ex-officio
Guardians;

not to exceed
the number
of Elective
Guardians:

Mode of
selection,
where greater
number
qualified.

16. And whereas it is expedient to increase the Number of qualified Justices which, according to the Provisions of the said first-recited Act, may be appointed to act as *ex-officio* Guardians of any Union; be it enacted, That so much of the said Act as provides^b, that the Number of *ex-officio* Guardians of any Union shall in no Case exceed One Third of the Number of Guardians to be elected by the Rate-payers of such Union, shall be repealed; and from and after the passing of this Act, every Justice of the Peace resident in an Union in *Ireland* and acting for the County in which he resides, who shall be qualified^c under the Provisions of the said first-recited Act to be or to be appointed an *ex-officio* Guardian of the Union, shall be an *ex-officio* Guardian thereof, unless the Number of Justices so qualified shall exceed the Number of Guardians to be elected by the Rate-payers of such Union^d; and in every Case in which the Number of Justices so qualified as aforesaid shall exceed the Number of Guardians to be elected by the Rate-payers^e, so many only of the qualified Justices who shall be rated on the

^a See § 111 of Parliamentary Voters Act, 13 & 14 Vic. c. 69, and § 32 of Municipal Corporations Act, 3 & 4 Vic. c. 108, and notes thereon; in Part I. 3.

^b 1 & 2 Vic. c. 56, § 24 (p. 17).

^c See § 23 of 1 & 2 Vic. c. 56 (p. 16), and note^c thereon.

^d The number of Guardians to be elected for any Union, is determined by the Commissioners' Orders, under § 19 of 1 & 2 Vic. c. 56. See Number of Elective Guardians so fixed for the respective Unions, in Table (Part V.).

^e See further provisions in § 7 of 12 & 13 Vic. c. 104, as to Ex-Officio Guardians, where the number of qualified Justices resident in any Union is less than the number of Elective Guardians (p. 190).

highest Amount of rateable Property in the Rate Books^a of any Electoral Division^a in such Union, as shall be equal to the Number of elective Guardians, shall be entitled to act as *ex-officio* Guardians^b: provided always, that each of such highest-rated Justices shall have previously declared, in Writing, to the Clerk of the Union, his Willingness to act as such *ex-officio* Guardian: Provided always, that whenever the Number of Justices qualified as aforesaid to act as *ex-officio* Guardians in any Union shall, by Death, Removal, Disqualification to act, or from any other Cause, be reduced to or below the Number of the elective Guardians, then and so long as the Number shall not exceed the Number of elective Guardians, the whole of the Justices so qualified shall be entitled to act as *ex-officio* Guardians^c.

10 VIC. c. 31.
IRISH POOR
RELIEF
EXTENSION
ACT,
1847.

ALTERATION OR DISSOLUTION OF UNIONS.

17. And whereas by the said first-recited Act it is provided, that no Dissolution or Alteration of a Union shall take place or be made unless a Majority of the Guardians of the Union affected by such Change shall consent thereto in Writing^d; and it is expedient to amend the said Enactment as hereinafter is provided; be it enacted, That it shall be lawful for the Poor Law Commissioners, as and when they shall see fit, to dissolve or alter any Union or Unions in *Ireland*, and from the Townlands comprised in such Unions to form such other Union or Unions as to them shall appear fitting and expedient; and that so

Alteration of
Unions:
amendment
of 1 & 2 Vic.
c. 56.

Unions may
be altered
without
Consent of
Guardians:

^a Sic.

^b Under this clause, the Justices entitled to act in such case, must consist of those rated either as occupiers or immediate lessors, upon the highest amount of net annual value, taking the aggregate amount of their respective ratings in the last rate-books.

^c See Regulations as to appointment of Ex-officio Guardians; and Circulars as to construction of the provisions relating to their appointment, (in Part II. 2).

^d § 16 of 1 & 2 Vic. c. 56 (p. 12).

10 VIC. c. 31,
IRISH POOR
RELIEF
EXTENSION
ACT,
1847.

Adjustment
of claims
or liabilities
upon such
dissolution or
alteration of
Unions.

much of the said Act as requires the Consent of a Majority of the Guardians of a Union to any Dissolution or Alteration thereof^a shall be repealed: Provided nevertheless, that all the other Provisions of the said Act which relate to the Dissolution or Alteration of Unions, and to the Adjustment of the Sums thereupon to be paid or received by any Union or Townland affected by such Alteration^b, shall extend and apply to the Case of any Union which shall be dissolved or altered, or formed anew, under the Provisions of this Act.

DISSOLUTION OF BOARDS OF GUARDIANS: PAID OFFICERS *VICE* GUARDIANS.

Dissolution
of a Board of
Guardians:
amendment
of 1 & 2 Vic.
c. 56.

18. And whereas by the first-recited Act it is provided^c, “that in case regular Meetings
“ of the Board of Guardians of any Union shall
“ not be holden at the Times enjoined by the
“ Orders of the Poor Law Commissioners, or in
“ case through the Default of the Guardians the
“ Duties of such Board of Guardians shall not be
“ duly and effectually discharged according to
“ the Intention of the said first-recited Act, the
“ Commissioners shall declare such Board of
“ Guardians to be dissolved, and shall order a
“ fresh Election of the Guardians of such Union;
“ and in case the Guardians elected at such fresh
“ Election shall not hold regular Meetings at the
“ Times enjoined by the Orders of the Commis-
“ sioners, or in case through the Default of such
“ Guardians the Duties of such Board of Guar-

^a § 16 of 1 & 2 Vic. c. 56 (p. 12).

^b The provisions in § 16 of 1 & 2 Vic. c. 56, for the adjustment of the sums to be paid or received by Unions or parts of Unions affected by any alteration of the limits of such Unions or of Electoral Divisions therein, have since been repealed, and other provisions made in lieu thereof, by the act of 1849, 12 & 13 Vic. c. 104, § 2: see further provisions as to adjustment of accounts on alteration of Unions and formation of new Unions, in § 2 of that act, (p. 185-6)

^c 1 & 2 Vic. c. 56, § 26 (p. 20).

“dians shall not be duly and effectually discharged according to the Intention of the said first-recited Act, then the Commissioners may appoint such and so many paid Officers as they may think fit to carry into execution the Provisions of the said Act, and from Time to Time revoke and determine such Appointments;”

And whereas it is expedient for the more prompt and effectual Execution of the Acts now in force for the Relief of the destitute Poor in *Ireland*, and of this Act, to amend the above recited Provision as hereinafter is provided: Be it enacted, that from and after the passing of this Act, in case regular Meetings of the Board of Guardians of any Union shall not be holden at the Times enjoined by the said Commissioners, or in case through the Default of the Guardians the Duties of such Board of Guardians shall not be duly and effectually discharged according to the Intention of the several Acts which now are or hereafter shall be in force for the Relief of the destitute Poor in *Ireland*, and of this Act, it shall be lawful for the Poor Law Commissioners to dissolve the said Board of Guardians; and the said Commissioners shall thereupon at once, and without ordering such fresh Election of the Guardians as in the said Act is provided, appoint such and so many paid Officers as they may think fit, to carry into Execution the Provisions of the said Acts and of this Act; and all the Provisions of the first-recited Act which relate^a to the Powers, Duties, and Salaries of such paid Officers appointed by the Commissioners after a fresh Election of the Board of Guardians as aforesaid, and to the Security to be given by such paid Officers, and to their Continuance^b in

10 VIC. c. 31,
IRISH POOR
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Commissioners may dissolve Board of Guardians on Default;

and appoint paid officers without intermediate Election of Guardians.

^a See § 26 of 1 & 2 Vic. c. 56 (p. 21).

^b See note ^a in p. 21, and 12 Vic. c. 24, § 3 (p. 182).

10 VIC. c. 31,
IRISH POOR
RELIEF
EXTENSION
ACT,
1847.

Office, shall extend and apply to the Powers, Duties, and Salaries of such paid Officers as shall be appointed by the said Commissioners under this Act without ordering a fresh Election of the Board of Guardians, and to the Security to be given by such Officers, and to their Continuance in Office respectively.

RELIGIOUS SERVICE IN WORKHOUSES.

Performance
of Religious
Service in
Workhouses:

Chapel may
be provided.

19. And whereas by the said first-recited Act it is provided, that the Poor Law Commissioners shall take Order for the due Performance of Religious Service in Workhouses in *Ireland*, and for appointing fit Persons to be Chaplains for that Purpose^a; be it enacted, That it shall be lawful for the said Commissioners, if they shall think fit, to provide a Chapel, or to direct that a suitable Apartment of the Workhouse shall be specially appropriated, for the Religious Worship of any Denomination of Christians, being Inmates of the Workhouse, and to make such Orders and Regulations for securing and regulating the Use of such Chapel or Apartment for such Purposes, as they shall deem expedient.

LAND FOR FEVER WARDS, CEMETERIES, &c.

Land occu-
pied with
Workhouses;

additional
Land may be
taken for
Fever Ward,
Cemetery,
&c.

20. And whereas by the said first-recited Act, the Poor Law Commissioners are empowered to purchase or hire Land, not exceeding Twelve Acres Imperial Measure, to be occupied with the Workhouse of any Union in *Ireland*^b; be it enacted, That it shall be lawful for the Poor Law Commissioners to purchase or hire, in addition to such Twelve Acres, Land not exceeding Three Statute Acres, to be occupied by the Guardians of any Union,—any Portion of the said last-

^a § 43 of 1 & 2 Vic. c. 56 (p. 38).

^b § 35 of 1 & 2 Vic. c. 56 (p. 28).

mentioned Land so to be occupied, being either contiguous to or detached from the Site on which any Workhouse stands, as shall be found most convenient in each Case ; and it shall be lawful for such last-mentioned Land to be used for the Site of a Fever Ward, or as a Cemetery for the Burial of deceased Inmates of the Workhouse^a, or for any other Purpose which the said Commissioners shall approve^b; and the Poor Law Commissioners are hereby empowered to erect such Fever Ward on such Land to be so purchased or hired as last aforesaid^c.

10 VIC. c. 31,
IRISH POOR
RELIEF
EXTENSION
ACT,
1847.

Fever Ward
may be built
thereon.

SCHOOL FOR DUBLIN UNIONS.

21. And whereas Provision is now made in each of the Unions called the *North Dublin Union* and *South Dublin Union*, respectively, for the Maintenance and Education of destitute Poor Children ; and it is expedient that the Guardians of the Poor of the said Unions should be enabled to join in the Occupation of a School for the Maintenance and Education of the Children receiving Relief in the Workhouses of the said Unions ; be it enacted, That the Poor Law Commissioners be empowered to hire or purchase Land not exceeding Twenty-five Statute Acres, and to erect thereon a suitable Building, according to a Plan approved by them and sealed with their Seal, to be used and occupied as a School for the Reception, Maintenance, and Education of Children not above the Age of Fifteen Years, being Inmates of one or other

North and
South Dublin
Unions: pro-
vision for a
School:

Land may be
taken for
same, and
school be
built.

^a See further, in § 3 of 11 & 12 Vic. c. 25 (p. 171), providing for the burial of poor persons in receipt of relief out of the Workhouse at the time of decease.
^b By § 1 of 11 & 12 Vic. c. 25, power is given to take a further quantity of land, for the employment and instruction of children in agriculture (p. 169).
^c Further provisions as to the purchase and conveyance of land, erection of buildings, and raising of money for these purposes ; see § 23 of this act (p. 146), and § 5 of 12 & 13 Vic. c. 104 (p. 189).

10 VIC. c. 31,
IRISH POOR
RELIEF
EXTENSION
ACT,
1847.

Apportion-
ment of
Expenses:

of the Workhouses of the *North Dublin* and *South Dublin* Unions; and the Guardians of each of the said Unions shall contribute to the Cost of hiring or purchasing such Lands, and of erecting such Building, and of upholding, repairing, or altering the same, in the Proportion which the net annual Value of the one Union bears to the net annual Value of the other; and shall contribute in the same Proportion to defray the Expenses of furnishing and fitting up the said School, and providing all Articles, Implements, and Requisites, for the common Use of the Inmates thereof: but the Maintenance of the Children belonging to each Union which the Guardians of such Union shall direct and send to be educated in such School shall be at the separate Cost of the Union; and the Proportion of the Cost of Maintenance to be charged on each Union shall be calculated, and shall be defrayed by the Guardians of the Union, in such Manner as the Poor Law Commissioners shall direct^a: Provided that the Guardians of each Union shall not be entitled to send to be maintained and educated in such School a Number of Children exceeding that Proportion of the whole Number to be at one Time maintained in the said School, which agrees with the Proportion borne by the net annual Value of the Union to the net annual Value of both Unions, except with the Con-

^a The provisions of this section for the establishment of a School for the North and South Dublin Unions, in common, were intended by § 24 (p. 146) to be extended to other Unions in Ireland, which it might be found desirable and practicable to combine into School Districts. That section, being defective, has since been repealed and other provision made for this object, in 11 & 12 Vic. c. 25, § 2 (p. 170), and several School Districts, comprising 13 Unions in Ulster and Connaught, have been formed: for the Orders issued by the Commissioners, combining these Unions into School Districts, providing for their management, and regulating the rates of payment by the respective Unions, and the Names of the Unions to which such Orders have been issued, see Part II. 7.

sent of the Poor Law Commissioners in that Behalf first had and obtained ; provided also, that the Quantity of Land to be purchased or hired for the purpose aforesaid shall not be greater than the Quantity which, under the Provisions of the said first-recited Act and this Act^a, may be purchased or hired and occupied together with the Workhouses of the said Two Unions, and that the Expenditure to be incurred in building the said School shall not be greater than might be incurred for the Erection of Workhouses or additional Workhouses in the said Unions under the said Acts^b.

10 VIC. c. 31,
IRISH POOR
RELIEF
EXTENSION
ACT,
1847.

Quantity of
Land to be
purchased,
limited.

22. And be it enacted, That the Management of the said School shall be conducted by a Board of Management, consisting of so many members of the respective Boards of Guardians of the *North Dublin* and *South Dublin* Unions, as the Poor Law Commissioners shall, by order under their Seal, direct ; and such Members shall be chosen by the Guardians of the said Unions, in such Proportions, and at such Times, and in such Manner, as the Commissioners shall direct ; and the Chairman of each of the said Unions shall be an *ex-officio* Member of the said Board of Management ; and the said Board of Management shall meet, three Members thereof being present to form a Board, and shall exercise their Functions and perform their Duties, in accordance with the Rules and Regulations issued by the Poor Law Commissioners for their Guidance and Control ; and it shall be lawful for the Poor Law Commissioners to authorize and direct the said Board of Management to appoint

Such School
to be managed
by a Board
chosen from
the Guardians
of the
North and
South Dublin
Unions.

Chairmen of
Unions *ex-officio* Members of Board
of Management.

Officers for
the School.

^a 1 & 2 Vic. c. 56, § 35 (p. 28), and § 20 of this act (p. 142).
^b Further as to purchase and conveyance of land, erection of buildings, and raising of money for these purposes, see § 23, p. 146.

10 VIC. c. 31,
IRISH POOR
RELIEF
EXTENSION
ACT,
1847.

Officers for the Superintendence of the said School, of such Description and with such Qualifications as the said Commissioners shall deem fitting and expedient, and to prescribe the Duties to be performed by the said Officers respectively: and every such Officer shall be subject, in all respects, to the Control of the Poor Law Commissioners and the Board of Management, in the same Manner as other Officers appointed under the Acts in force for the Relief of the Poor are subject to the Control of the Poor Law Commissioners and the Guardians of the Union whereof they are Officers, and shall be liable to Removal in the same Manner^a.

PURCHASE AND CONVEYANCE OF LAND, &c.

Provisions as
to purchase
of Land and
erection of
Buildings
under 1 & 2
Vic. c. 56,
extended to
purchase, &c.
under this
Act.

23. And be it enacted, That all the Provisions of the said first-recited Act which relate to the Purchase and Conveyance of Land for the Erection of Workhouses, and which empower the Poor Law Commissioners to direct the Guardians of any Union, to raise or borrow the sums necessary to defray the Expense of hiring or purchasing such Land and building such Workhouses,—and all Provisions of the said Act which relate to the borrowing of Money by the Guardians for the Purposes aforesaid,—shall extend and apply to the Purchase and Conveyance of Land, and the Erection of Buildings thereon, under the Provisions of this Act^c.

DISTRICT SCHOOLS.

Other Unions
may be
formed into

24^d. And for the Purpose of extending to other Parts of Ireland the Benefit of the Provi-

^a For provisions as to Officers of Unions, see under title *Officers*, &c. in Index.

^b 1 & 2 Vic. c. 56 § 35, 36, 89, 90 (p. 28-9, 66-7).

^c See § 1 of 11 & 12 Vic. c. 25 (p. 169) for providing additional land for purposes therein described, and § 5 of 12 & 13 Vic. c. 104 (p. 189) incorporating the provisions of the Lands Clauses Consolidation Act 1845 (8 & 9 Vic. c. 18) with the Irish Poor Relief Acts, for the purpose of enabling the Commissioners to take lands.

^d This section is repealed and other provision enacted in lieu thereof, by § 2 of 11 & 12 Vic. c. 25 (p. 170): see note ^a in p. 144.

10 Vic. c. 31,
IRISH POOR
RELIEF
EXTENSION
ACT,
1847.

School Dis-
tricts for the
Management
of Poor
Children.

sions of this Act, as hereinbefore made applicable for the Establishment of Schools in the North and South Dublin Unions, be it enacted, That it shall be lawful for the said Commissioners, as and when they may see fit, by Order under their Hands and Seals, to combine Unions into School Districts for the Management of any Class or Classes of Infant Poor not above the Age of Sixteen Years, being chargeable to any such Union or any Part thereof, who are Orphans or are deserted by their Parents, or whose Parents or surviving Parent or Guardian are consenting to the placing of such Children in the School of such District.

OFFICERS UNDER THIS ACT.

25. And be it enacted, That the Poor Law Commissioners shall have the same Power and Authority in respect of all Officers appointed under this Act^a, to define and prescribe the Qualifications of such Officers, and their Duties, and the Places or Limits within which those Duties shall be performed, respectively, and to determine the Continuance in Office or Removal of such Officers, and to appoint fit and proper Persons in their Room, on the Neglect or Refusal of the Parties competent in that Behalf to appoint, and to regulate from Time to Time the Salaries payable to such Officers, and the Mode of Payment thereof, and the Proportions in which the Salaries shall be charged to the Electoral Divisions of a Union, as the said Commissioners have in respect of paid Officers appointed under the Acts now in force for the Relief of the destitute Poor in *Ireland*^b; and the Officers appointed under this Act shall be subject to the same Disqualification or

Officers
under this
Act: regula-
tion of their
Qualifica-
tions, Duties,
Salaries,
Removal, &c.,
by Commis-
sioners; who
may appoint
on neglect of
Guardians.

^a § 4, 5, 22.

^b See § 31-33 of 1 & 2 Vic. c. 56 (p. 23-26).

10 VIC. c. 31,
IRISH POOR
RELIEF
EXTENSION
ACT,
1847.

Removal from Office, and shall be liable to the same Penalties and Forfeitures, Actions, Indictments, or other Proceedings, criminal or civil, as the paid Officers appointed under the Provisions of the said Acts now in force as aforesaid^a

REGULATION OF RELIEF UNDER THIS ACT.

Administra-
tion of Relief
under this
Act, to be
subject to
Commission-
ers' control.

26. And be it enacted, That the Administration of Relief under this Act shall be subject to the Direction and Control of the Poor Law Commissioners; and all Orders, Rules, and Regulations made by the said Commissioners in execution of this Act shall be of the same Force and Effect, and shall be subject to the same Conditions^b, as Orders, Rules, and Regulations of the said Commissioners issued in execution of the said Acts now in force.

ACCOUNTS :—AUDIT.

Accounts of
Expenditure
to be kept:

Audit of
Accounts,
and Recovery
of Balances.

27. And be it enacted, That the Guardians of every Union and their Officers shall keep Accounts, in such Form as the Poor Law Commissioners shall prescribe^c, of all Expenditure under this Act; and all the Provisions of the said Acts now in force for the Relief of the destitute Poor in *Ireland*, which relate^d to the Auditing of Accounts of the Guardians and other Persons liable to account under the said Acts, and to the Verification of such Accounts on Oath or otherwise, and to the Disallowance or Reduction of Charges, and to the Recovery of Balances found by the Auditor to be due from such Guardians or other Persons as aforesaid,—and all the Provisions of the said Acts which relate to the Powers, Duties and Proceedings of the Auditors of Unions^d,—

^a See under respective titles *Officers, Penalties, &c.* in Index.

^b See under *Orders, &c.* in Index.

^c For General Order prescribing Forms of Accounts and Duties of Officers in this respect, see Part II. 4.

^d § 92, 94, 95 of 1 & 2 Vic. c. 56 (p. 72, 73-5) : and see § 20 of 12 & 13 Vic. c. 104 (p. 199).

shall extend and apply to the Accounts of the Expenditure of the Guardians and their Officers under this Act, and to the Balances found to be due thereon from the said Guardians or Officers respectively, and to the Recovery of the said Balances^a.

10 VIC. c. 31,
IRISH POOR
RELIEF
EXTENSION
ACT,
1847.

28. And be it enacted, That in every Case of Disallowance or Reduction by the Auditor in the Accounts of any Union, the Auditor shall make and sign a Certificate of such Disallowance or Reduction on the Face of the Book or Account wherein the Charges so disallowed or reduced shall appear, and shall debit the Amount disallowed to the Guardian or Guardians by whose Signature or Initials the Expenditure of the Sum so disallowed shall have been authorized; or if not authorized by the Guardians, then to the Officer or Officers by whom such Expenditure shall have been made: and the Sum so disallowed shall be payable by the Person or Persons debited therewith to the Treasurer of the Union: and it shall be lawful for the said Auditor to proceed for the Recovery thereof, by all the Ways and Means provided by the said first-recited Act for the Recovery of Balances^b found by the Auditor to be due from any Guardian, Treasurer, or other Person having the Control of the Poor Rate, or accountable for such Balances: or in lieu thereof, the said Auditor may summon the Person or Persons so debited to appear before any Two Justices of the County in which the Workhouse of the Union shall be situate^c; and the said Justices shall, on the Production of the said Certificate of Disallowance or Re-

Further
provision for
Recovery
of Sums
disallowed
by Auditor.

^a Audit Forms, No. 53 *et seq.*, in Part IV.

^b § 94 of 1 & 2 Vic. c. 56 (p. 74).

^c Forms for proceedings for recovery of Balances found due on Audit, No. 54 *et seq.*, in Part IV.

10 VIC. c. 31,
IRISH POOR
RELIEF
EXTENSION
ACT,
1847.

duction, inquire whether the Sum disallowed has been paid to the Treasurer of the Union; and on Failure of due Proof thereof by or on the Part of the Person or Persons so debited as aforesaid, shall adjudge the said Person or Persons to pay the said Sum, together with the Costs of the Application, to the said Auditor; and on Failure of such Payment forthwith, shall cause the said Sum and Costs to be levied by Warrant of Distress upon the Goods and Chattels of the said Person or Persons, wheresoever the same may be found, and to be paid to the said Auditor, who shall thereupon pay over the Sum so disallowed and recovered, to the Treasurer of the Union^a.

ANNUAL RETURNS.

Annual
Return of
Expenditure
and Number
relieved:
provision in
1 & 2 Vic. c.
56, amended.

29. And be it enacted, That so much of the said first-recited Act as provides^b that there shall be laid annually before both Houses of Parliament, on or before the First Day of *May* in every Year, an Account of the Expenditure upon the Relief of the Poor in each Union in *Ireland*, and of the total Number relieved in each Union, during the Year, ended on the First Day of *January* preceding, shall be repealed; and that in lieu thereof, an Account shall annually be laid before Parliament, on or before the First Day of *May*, of the Expenditure on the Relief of the Poor in each Union in *Ireland*, and of the total Number relieved in each, during the Year ended on the Twenty-ninth Day of *September* preceding^c.

^a § 20 of 12 & 13 Vic. c. 104 (p. 199) requires annual returns to be laid before Parliament of the state of the audits, amounts of balances, disallowances, and surcharges, and the proceedings taken for recovery of the same.

^b § 123 of 1 & 2 Vic. c. 56 (p. 93), now repealed.

^c Provisions as to Annual Report, 10 & 11 Vic. c. 90, § 21 (p. 166), and 12 & 13 Vic. c. 104, § 20 (p. 199); and as to Annual Report under the Dispensaries Act, 14 & 15 Vic. c. 68, § 20 (p. 224).

INTERPRETATION, &c.

10 VIC. c. 31,
IRISH POOR
RELIEF
EXTENSION
ACT,
1847.

30. And be it enacted, That the said Acts now in force for the Relief of the destitute Poor in *Ireland*, and this Act, shall be construed as One Act, except so far as the Provisions of any one of such acts may alter the Provisions of any previous Act.

Construction
of Act.

31. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be
amended, &c.

10 & 11 Vic.
c. 84,
VAGRANT
ACT,
1847.

10 & 11 VICT. CAP. 84.

An Act to make Provision for the Punishment of Vagrants and Persons offending against the Laws in force for the Relief of the destitute Poor in *Ireland*.

[22nd July 1847.]

DESERTION OF WIFE OR CHILDREN.

Provision in
1 & 2 Vic.
c. 56, for the
Punishment
of Persons
deserting
their Wives
and Chil-
dren, re-
pealed.

§ 1. WHEREAS it is expedient to make further Provision for the Punishment of Beggars and Vagrants and Persons offending against the Laws in force for the Relief of the destitute Poor in *Ireland*; be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of an Act^a passed in the Second Year of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in Ireland*, as provides for the Punishment of Persons deserting and leaving their Wives or any Children whom such Persons may be liable to maintain, so that such Wives or Children should become destitute and be relieved in the Workhouse of a Union, shall be repealed.

PUNISHMENT FOR DESERTION, &c. OF FAMILY.

Person
deserting or
wilfully
neglecting to
maintain his
Wife or

2. And be it enacted, That every Person who shall desert or wilfully neglect to maintain his Wife or any Child whom he may be liable to maintain^b, so that such Wife or Child

^a § 59 of 1 & 2 Vic. c. 56 (p. 46), hereby repealed.

^b Under § 53 of 1 & 2 Vic. c. 56 (p. 42) : see also § 54 of that act, and § 8 of 10 Vic. c. 31 (p. 133). See legal opinion in note ^b p. 42; and Circular of 4 June 1853 and legal opinions therein, on this provision, in Part III. 2.

shall become destitute and be relieved in or out of the Workhouse of any Union in *Ireland*, shall, on Conviction thereof before any Justice of the Peace, be committed to the Common Gaol or House of Correction, there to be kept to Hard Labour for any Time not exceeding Three Calendar Months.

10 & 11 VIC.
c. 84,
VAGRANT
ACT,
1847.

Children,
liable to three
months' im-
prisonment.

PUNISHMENT FOR VAGRANCY, &c.

3. And be it enacted, That every Person wandering abroad and begging,—or placing himself in any public Place, Street, Highway, Court, or Passage, to beg or gather Alms,—or causing or procuring or encouraging any Child or Children so to do,—and every Person who, having been resident in any Union in *Ireland*, shall go from such Union to some other Union^a, or from one Electoral or Relief District to another Electoral or Relief District in *Ireland*, for the Purpose of obtaining Relief in such last-mentioned Union or District,—shall, on Conviction thereof before any Justice of the Peace, if such Justice shall think fit, be committed to the Common Gaol or House of Correction, there to be kept to Hard Labour for any Time not exceeding One Calendar Month.

Persons
wandering
abroad, and
begging in
public
places, &c.,
liable to one
month's im-
prisonment.

APPREHENSION OF OFFENDERS.

4. And be it enacted, That it shall be lawful for any Person whatsoever to apprehend any Person whom he shall find offending against this Act, and to take and convey such Offender, as soon as may be reasonably practicable, before any Justice of the Peace, to be dealt with as is hereinbefore provided, or to deliver him to any Constable or other Peace Officer

Power to ap-
prehend Per-
sons offend-
ing against
this act
without
Warrant.

^a See Circulars of 3 Feb. 1851, and 30 May, 1853, and legal opinions therein (Part III. 2), as to illegal practices in the removal or transmission of poor persons from one Union to another.

^b § 2, 3.

10 & 11. Vic.
c 84,
VAGRANT
ACT,
1847.

Offenders
may be taken
before a
Justice.

Warrants
may be
issued by a
Justice, for
Apprehen-
sion of
Persons
offending.

of the County or Place wherein he shall have been apprehended, to be so taken and conveyed as aforesaid; and it shall be the Duty of every Constable or Peace Officer to take into his Custody every such Offender so delivered to him, and to take and convey such Offender before a Justice of the Peace as soon as may be reasonably practicable, to be dealt with as is directed by this Act^a.

5. And be it enacted, That it shall be lawful for any Justice of the Peace, upon Proof that any Person hath committed any of the Offences herein-before mentioned^a, to issue his Warrant to apprehend such Offender, and to bring him before the same or some other Justice of the Peace, to be dealt with as is directed by this Act^a.

CONVICTIONS.

Proceedings
not to be
quashed for
Want of
Form, or re-
movable by
Certiorari:

6. And be it enacted, That no Proceeding by or before any Justice of the Peace under the Provisions of this Act shall be quashed for Want of Form, or shall be removable into any of Her Majesty's Superior Courts by Writ of Certiorari; and every Conviction under this Act shall be in the Form or to the Effect following, or as near thereto as Circumstances will permit; (that is to say,)

Form of Con-
viction.

‘to wit. } Be it remembered, That on the Day
 of in the Year of our Lord
‘at in the County of A. B. is
‘convicted before me, C. D., one of Her Majesty's
‘Justices of the Peace in and for the said County, of an
‘Offence against the Statute made in the Tenth Year of
‘the Reign of Her Majesty Queen Victoria, intituled
‘“An Act to make Provision for the Punishment of
‘Vagrants and Persons offending against the Laws in
‘force for the Relief of the destitute Poor in *Ireland* ;”
‘(that is to say,) for that the said A. B. on the
‘Day of at in the said County [*here*
‘state the Offence proved before the Magistrate^b], and for

^a § 3.

^b As in § 2 or 3 (p. 152-3), as the case may be.

‘which said Offence the said *A. B.* is adjudged to be
 ‘committed to the House of Correction at
 ‘there to be kept to Hard Labour for the Space of
 ‘Given under my Hand and Seal the Day, Year, and at
 ‘the Place first above written.’

10 & 11 Vic.
 c. 84,
 VAGRANT
 ACT,
 1847.

7. And be it enacted, That the Justice of the Peace before whom any such Conviction shall take place, shall transmit the same to the Petty Sessions then next ensuing to be holden for the District in which such Conviction shall have taken place; and if there shall be no such Petty Sessions, then to the next General or Quarter Sessions of the Peace to be holden in and for the County, County of a City, or County of a Town, or Place, wherein such Conviction has taken place, there to be filed and kept on record.

Conviction
 to be trans-
 mitted by the
 Justice to
 next Petty
 or Quarter
 Sessions.

INTERPRETATION, &c.

8. And be it enacted, That in the Construction of this Act, every Word importing the Singular Number or Masculine Gender only, shall, except where the Context excludes such Construction, be understood to include and shall be applied to several Persons, Matters, or Things, as well as one Person, Matter, or Thing, and to Females as well as Males, respectively; and that the Word “Justice” shall be understood to include and extend to any Justice of the Peace or Magistrate of a County, County of a City, or County of a Town, or of any City or Town Corporate; and that the Word “Constable” shall be understood to include all Chief and other Constables and Sub-Constables appointed under any Act relating to the Constabulary Force of *Ireland* or for the Regulation of the Police District of *Dublin*.

Interpreta-
 tion of terms.

Number;
 Gender;

“Justices;”

“Constable;”

9. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be
 amended, &c.

10 & 11 Vic.
c. 90,
IRISH POOR
LAW
ADMINIS-
TRATION
Act,
1847.

10 & 11 VICT. CAP. 90.

An Act to provide for the Execution of the
Laws for Relief of the Poor in *Ireland*.

[22nd July 1847.]

CONSTITUTION OF COMMISSION.

4 & 5 Wm. 4,
c. 76, (Eng-
lish Poor
Law Amend-
ment Act,
1834).

1 & 2 Vic.
c. 56, (Irish
Poor Relief
Act, 1838.)
2 & 3 Vic.
c. 1.

4 & 5 Vic.
c. 41 (see
Part I. 3).

6 & 7 Vic.
c. 92.

§ 1. WHEREAS an Act was passed in the Fifth Year of the Reign of His late Majesty, intituled *An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales*: And whereas an Act was passed in the Second Year of the Reign of Her Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in Ireland*: And whereas an Act was passed in the Session of Parliament then next following, to amend the lastly-recited Act: And whereas an Act was passed in the Fourth Year of the Reign of Her Majesty, intituled *An Act to provide for the Payment of Debts, Charges, and Incumbrances affecting Houses of Industry and Workhouses, and of Advances made conformably with previous Usage for the lawful Purposes of such Houses of Industry and Workhouses in certain Cases in Ireland*: And whereas an Act was passed in the Seventh Year of the Reign of Her Majesty, intituled *An Act for the further Amendment of an Act for the more effectual Relief of the destitute Poor in Ireland*: And whereas, under the Provisions of the said Acts, the Administration of Relief to the Poor throughout *Ireland* is subject to the Direction and Control of the Poor Law Commissioners, whose Commission will expire at the End of the Session of Parliament next

after the Thirty-first Day of *July* in this Year^a: And whereas it is expedient that the Control of the Administration of the Laws for the Relief of the Poor in *Ireland* should be wholly separated from the Control of the Administration of the Laws for the Relief of the Poor in *England*: Be it enacted by the Queen's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for Her Majesty, from Time to Time, by Warrant under the Royal Sign Manual, to appoint a fit Person, who, with the Chief Secretary to the Lord Lieutenant of *Ireland*, and the Under Secretary to the said Lord Lieutenant, shall have the Control of the Administration of the Laws for Relief of the Poor in *Ireland*^c: and the Person so appointed shall hold his Office during the Pleasure of Her Majesty: and the said Chief Secretary and Under Secretary and the Person so appointed, shall be styled "Commissioners for administering the Laws for

10 & 11 VIC.
c. 90,
IRISH POOR
LAW
ADMINIS-
TRATION
ACT,
1847.

Commission-
ers for Ad-
ministering
the Laws for
Relief of the
Poor in Ire-
land:

^a Under 1 & 2 Vic. c. 56, the administration of the Irish Poor Law Relief Acts was first placed under the Poor Law Commissioners then acting for England and Wales, the duration of that Commission (which was appointed in August, 1834, under the English Poor Law Amendment Act, 4 & 5 Wm. 4, c. 76) being limited, in the first instance, to five years and a session, and afterwards continued from time to time by the acts 2 & 3 Vic. c. 83 (1839); 3 & 4 Vic. c. 42 (1840); 5 Vic. c. 10 (1841); and 5 & 6 Vic. c. 57 (1842), until the time above stated in the present act.

^b See § 2, and note ^a thereon (p. 158), as to the time when the Commission for Ireland under this act came into operation. The Poor Law Board for England and Wales, constituted under 10 & 11 Vic. c. 109, came into operation on 14 December, 1847, the appointment of the first President of that Board having been notified in the London Gazette of the 13 December, 1847, in pursuance of § 3 of that act, and has been continued by subsequent acts from time to time.

^c The constitution of the Poor Law Commission for Ireland has since been modified by the Dispensaries Act of 1851, 14 & 15 Vic. c. 68 (p. 207), which provides for the appointment of two additional Commissioners, one of them a Medical Commissioner, and abolishes the office of Assistant Commissioner which had been created under § 6 of the present act (p. 159).

10 & 11 Vic.
c. 90.

Chief Com-
missioner.

“The Com-
missioners:”
interpreta-
tion.

Relief of the Poor in *Ireland*,” and the Person so appointed by Her Majesty shall be styled the Chief Commissioner: and whenever the Expression “the Commissioners” shall be used in this Act, without Addition, it shall be taken to mean the said Commissioners for administering the Laws for Relief of the Poor in *Ireland*.

NOTIFICATION OF APPOINTMENT.

Notification
of Appoint-
ment of Chief
Commission-
er in Gazette:

after first
notification
Commission-
ers to enter
on their
office.

2. And be it enacted, That Notice of the Appointment of every Chief Commissioner shall be published in the *Dublin Gazette*; and the Commissioners first constituted under this Act shall enter on their Office, and all the Powers by this Act vested in them shall take effect on the Day after the first Publication of such Notice in the *Dublin Gazette*^a.

SEAL.

Seal of the
Commis-
sioners.

3. And be it enacted, That the Commissioners shall cause a Seal to be made for their Use; and such Seal shall have the same Force and Effect in *Ireland*, as the Seal of the Poor Law Commissioners; and Documents sealed or stamped therewith shall be received in Evidence in like Manner as Documents sealed or stamped with the Seal of the Poor Law Commissioners are now received in Evidence^b.

OFFICERS OF COMMISSION.

Appoint-
ment of
Secretary,
Clerks, &c.

4. And be it enacted, That the Commissioners shall from Time to Time, subject to the Approval of the Lord Lieutenant, appoint a Secretary; and may, with the like Approval,

^a Notice of the appointment of the Chief Commissioner first appointed under this act, was published in the *Dublin Gazette* of 27th August 1847; and these provisions accordingly took effect, and the Commissioners entered on their office, on the 28th August, 1847.

^b See § 121 of 1 & 2 Vic. c. 56 (p. 92).—See also 8 & 9 Vic. c. 113, and 14 & 15 Vic. c. 99, in reference to admission of documents in evidence (Part I. 3).

remove any Secretary so appointed ; and shall also from Time to Time appoint so many Clerks, Messengers, and Servants as shall be allowed by the Commissioners of Her Majesty's Treasury : and all the Persons so appointed, except the Secretary, shall hold their several Offices during the Pleasure of the Commissioners.

10 & 11 Vic. c. 90,
IRISH POOR
LAW
ADMINIS-
TRATION
ACT,
1847.

INSPECTORS.

5. And be it enacted, That the Commis- sioners shall from Time to Time, subject to the Approval of the Lord Lieutenant, appoint so many fit Persons as shall be allowed by the Commissioners of Her Majesty's Treasury, to be Inspectors, to assist in the Execution of this Act and of the other Acts now in force, or which shall hereafter be in force, for the Relief of the Poor in *Ireland* ; and may from Time to Time assign to the Inspectors so ap- pointed, or any of them, such Duties, and delegate to them such of the Powers of the Commissioners, as they may think necessary^a ; and, subject to the like Approval of the Lord Lieutenant, may remove all or any of the said Inspectors, and appoint others in their stead.

Appointment of Inspectors.

Duties and Powers of Inspectors,

ASSISTANT COMMISSIONER^b.

6. And be it enacted^b, That the Commis- sioners shall from Time to Time appoint One of the said Inspectors, by the Title of Assistant Commissioner, to assist in the Business of their Office and in the Execution of this Act in such Manner as they shall direct; and may delegate to such Assistant Commissioner all the Functions, Powers, and Duties of the

One of the Inspectors to be appointed Assistant Commis- sioner :

powers and duties of Assistant Commis- sioner.

^a And see § 7 and 19 as to powers of Inspectors (160, 164).
^b The office of Assistant Commissioner under this act was abo- lished by the Dispensaries Act of 1851, 14 & 15 Vic. c. 68, § 1, on the notification of the first appointment of the two additional Commis- sioners under that act, and the delegation of the functions of the Chief Commissioner referred to in this section may be made to one of the two additional Commissioners (p 207-8).

10 & 11 Vic.
c. 90,
IRISH POOR
LAW
ADMINIS-
TRATION
ACT,
1847.

Chief Commissioner, or such of them as they shall think fit, in the Absence of the Chief Commissioner from Dublin, or whenever it shall appear to them necessary that such Delegation of Authority should be made; and thereupon the said Assistant Commissioner shall have full Authority to act, within the Limits of the Powers so delegated to him, as if he were the Chief Commissioner.

Inspectors
may attend
local Boards
and Meet-
ings;

7. And be it enacted, That the said Inspectors and each of them shall be entitled to attend every Board of Guardians, and every parochial and other local Meeting held for the Relief of the Poor, and to take part in the Proceedings, but not to vote at such Board or Meeting.

but not to
vote.

SALARIES.

Salaries of
Officers.

8. And be it enacted, That the Chief Commissioner and Secretary, Clerks, Messengers, and Servants, and the ^aAssistant Commissioner and Inspectors, shall receive such Salaries as shall be from Time to Time appointed by the Commissioners of Her Majesty's Treasury.

TRANSFER OF POWERS, &c. OF LATE COMMISSION.

Transfer of
Powers and
Duties of the
Poor Law
Commis-
sioners.

9. And be it enacted, That on the Day on which the Commissioners shall enter on their Office^b, all the Powers and Duties of the Poor Law Commissioners, or any of them, with respect to the Direction or Control of the Administration of Relief to the Poor throughout *Ireland*, shall be transferred to and vested in the Commissioners; and shall be thenceforth exercised by them, or any Two of them, or, except as is hereinafter provided^c, by the Chief Commissioner alone, or in his Absence by the ^aAssistant Commissioner; and all

^a See note ^a on § 6, p. 159.

^b Under § 2 (see note ^a thereon, p. 158).

^c See sections 11, 12, 17, 18, as to the seal and signatures requisite where it is used.

Provisions of the several Acts in any way relating to the Administration of Relief to the Poor in *Ireland* shall be construed as if therein the Commissioners had been named instead of the Poor Law Commissioners, subject nevertheless to any Amendments made by this Act; and during any Vacancy among the Commissioners, the surviving or continuing Commissioners or Commissioner may continue to act with the same Powers and in the same Manner respectively as before such Vacancy: Provided always, that so much of the said Act of the Second Year of the Reign of Her Majesty^a as would enable the Commissioners to sit in *England* or *Wales* for exercising any Powers under any of the said Acts, or as would require them to assemble in *London* once at least in every Year, shall be repealed.

10 & 11 Vic.
c. 90,
IRISH POOR
LAW
ADMINIS-
TRATION
ACT,
1847.

In case of
Vacancy
amongst
Commis-
sioners, the
continuing
Commis-
sioners to act.

10. And be it enacted, That the Commissioners and their Successors shall be deemed a Body Corporate, and shall have perpetual Succession and a Common Seal, and for all Purposes connected with the Administration of the Laws for the Relief of the Poor throughout *Ireland* shall be deemed the Successors of the said Poor Law Commissioners; and all Lands, Tenements, and Hereditaments, and Real and Personal Property, vested in the said Poor Law Commissioners^b on the Day on which the Commissioners shall enter on their Office^c, shall vest in the Commissioners and their Successors without any Conveyance or Transfer thereof other than by the Operation of this Act.

Commission-
ers incorpo-
rated:

to be Succes-
sors of Poor
Law Com-
missioners.

Transfer of
Property
vested in
Commis-
sioners.

11. And be it declared and enacted, That from and after the Day on which the Commissioners shall enter on their Office^c, the

Power to
make Rules
or Orders.

^a 1 & 2 Vic. c. 56, § 120, 122 (p. 92), hereby repealed.

^b See 1 & 2 Vic. c. 56, § 34, 35 (p. 26, 29); 10 Vic. c. 31, § 20, 21, 23 (p. 142-6): and 11 & 12 Vic. c. 25, § 1, 2 (p. 169-70).

^c See § 2 and note ^a thereon (p. 158).

10 & 11 Vic.
c. 90,
IRISH POOR
LAW
ADMINIS-
TRATION
ACT,
1847.

Power vested in the Poor Law Commissioners to make Rules, Orders, and Regulations, and to vary or rescind the same, shall and may be exercised by the Commissioners; who shall make all such Rules, Orders, and Regulations under their Seal^a, except such as are intended only for their own Guidance and Procedure, or for the Guidance or Procedure of the said Inspectors, or any of them, and the Conduct of the Business in their Office.

GENERAL RULES.

For General
Rules, ap-
proval by
the Lord
Lieutenant
required.

12. And be it enacted, That no General Rule^b made by the Commissioners relating to the Administration of the Laws for the Relief of the Poor in *Ireland*, shall have any Force unless the same shall be made under the Seal^a of the Commissioners, nor unless the same, before the Issue thereof, shall be approved by the Lord Lieutenant; and no Rule to vary or rescind a general Rule shall be made by the Commissioners unless the same shall be made and approved in like Manner.

Provision in
1 & 2 Vic.
c. 56, as to
General
Rules, re-
pealed.

13. And be it enacted, That from and after the Day on which the Commissioners first appointed under this Act shall enter on their Office^c, so much of the said Act of the Second Year of the Reign of Her Majesty^d as relates to the Time or Manner when or how any such General Rule shall operate or take effect, or to the Disallowance of any such General Rule, or any Part thereof, shall be repealed.

Disallowance
of General
Rules by
Lord Lieu-
tenant in
Council.

14. And be it enacted, That if the Lord Lieutenant in Council shall at any Time disallow any such General Rule, or any Part

^a See also § 18 (p. 164).

^b Definition of General Rule, in § 15.

^c See § 2 and note ^a thereon (p. 158).

^d § 4 of 1 & 2 Vic. c. 56 (p. 5), hereby repealed.

thereof, the same, so far as it shall have been so disallowed, shall cease to be of any Force or Validity; subject, however, and without Prejudice to all Things lawfully done under the same before such Disallowance.

10 & 11 Vic.
c. 90,
IRISH POOR
LAW
ADMINIS-
TRATION
ACT,
1847.

15. And be it enacted, That every Rule, Order, or Regulation of the Commissioners, which shall be, at the Time of issuing the same, directed to and affect more than One Union, shall be deemed a General Rule; and every Rule, Order, and Regulation made to vary or rescind a General Rule, whether or not directed to or affecting more than One Union, shall also be deemed a General Rule.

What to be
deemed
General
Rules.

EXISTING ORDERS CONTINUED IN FORCE.

16. Provided always, and be it declared and enacted, That all lawful Rules, Orders, and Regulations of the Poor Law Commissioners, made before the Day^a on which the Commissioners first appointed under this Act shall enter on their Office, shall continue in full Force and Effect until rescinded or varied under the Authority of this Act.

Rules or
Orders made
before Com-
missioners
under this
Act enter on
office, to con-
tinue in
Force.

MODE OF EXECUTING ORDERS, &c.

17. And be it enacted, That in every Case when the Assent or Sanction of the Poor Law Commissioners, or any One or more of them, is now required for any Matter arising in *Ireland*, to be given under their Hands and Seals, or the Hand and Seal of any One or more of them, the Assent or Sanction of the Commissioners, from and after the Day^a on which they shall enter on their Office, shall be requisite instead thereof; and in every Case in which it shall be given, shall be given under the Seal^b of the Commissioners, and

Sanction of
Commis-
sioners sub-
stituted for
that of the
Poor Law
Commis-
sioners in a
prescribed
Form.

^a See § 2 and note ^a thereon (p. 158).

^b See also § 18.

40 & 41 Vic.
c. 90,
IRISH POOR
LAW
ADMINIS-
TRATION
ACT,
1847.

Signing of
Acts under
Seal.

shall have the like Force and Effect in *Ireland* as the Assent or Sanction of the Poor Law Commissioners before the passing of this Act.

18. And be it enacted, That no Act of the Commissioners which is required to be under their Seal shall be of any Validity unless it shall purport to be signed by at least Two of the Commissioners, or by the Chief Commissioner, or in his Absence by the ^aAssistant Commissioner, and in either of the Two last Cases countersigned by the Secretary to the Commissioners.

POWERS OF INQUIRY—WITNESSES.

Commis-
sioners and
Inspectors.
empowered
to summon
Witnesses:

19. And be it declared and enacted, That the Commissioners, or any One of them, and also any such Inspector^b, acting in execution of the Acts now or hereafter to be in force for the Relief of the Poor in *Ireland*, by Summons, under the Seal of the Commissioners^c, or under the separate Hand and Seal of any Commissioner or Inspector^d respectively, as the Case may be, may require the Attendance of all such Persons as they or he shall think fit to call before them or any of them respectively, upon any Matter connected with the Execution of this Act, or the Administration of the Laws for the Relief of the Poor in *Ireland*, at such Time and Place as shall be set forth in the Summons; and may make Inquiry and require Returns, and may administer Oaths and examine all such Persons upon Oath; and may require and enforce the Production, upon Oath, of Books, Contracts, Agreements, Accounts, Maps, Plans, Surveys,

and inquire
on Oath,

^a See note ^a on § 6 (p. 159). And see further, in § 2 of Dispensaries Act, 14 & 15 Vic. c. 68, as to execution of orders under that act, in certain cases (p. 209).

^b § 5, 6 (p. 159).

^c And see also § 18 in regard to acts under the corporate seal of the Commissioners.

^d Form of Inspector's Summons, No. 43 (in Part IV.).

Valuations, and Writings, or Copies thereof, respectively, in anywise relating to any such Matter; or, when the Commissioners, or any One of the Commissioners, or any Inspector, shall think fit, instead of requiring such Oath as aforesaid, may require any such Person to make and subscribe a Declaration of the Truth of the Matters respecting which he shall have been or shall be so examined: Provided always, That no Person shall be required, in Obedience to any such Summons, to go more than Twenty Statute Miles from the Place of his Abode; provided also, that nothing herein contained shall empower the Commissioners, or any Commissioner or Inspector, to require the Production of the Title, or of any Papers or Deeds relating to the Title, of any Lands, Tenements, or Hereditaments not being Property vested in the Commissioners by this Act^a.

20. And be it declared and enacted, That every Person who, upon any Examination under the Authority of this Act, shall wilfully give false Evidence, or wilfully make or subscribe a false Declaration, shall on being convicted thereof suffer the Pains and Penalties of Perjury; and every Person who shall refuse or wilfully neglect to attend in Obedience to any Summons of the Commissioners, or of any one of the Commissioners, or any Inspector, or to give Evidence, or who shall wilfully alter, suppress, conceal, destroy, or refuse to produce any Books, Contracts, Agreements, Accounts, Maps, Plans, Surveys, Valuations, or Writings, or Copies of the same, which may be required to be produced for the Purposes of this Act, to any Person authorized by this Act to require the Production thereof, shall be deemed guilty of a Misdemeanor.

10 & 11 VIC.
c. 90,
IRISH POOR
LAW
ADMINIS-
TRATION
ACT,
1847.

or require
Declaration.

Witnesses
not to be
summoned
more than 20
miles.

Penalties:
Giving false
Evidence,
Perjury:

Refusing
evidence, or
neglecting to
attend, &c.,
Misdemeanor.

^a § 10 (p. 161).

10 & 11 Vic.

c. 90,

IRISH POOR

LAW

ADMINIS-
TRATION

ACT,

1847.

Commis-
sioners to
report yearly
to Lord
Lieutenant;
and Report
to be laid
before Parli-
ament:

Report as to
Out-door
Relief.

ANNUAL REPORT.

21. And be it enacted, That the Commis-
sioners shall once in each Year submit to
the Lord Lieutenant a general Report of their
Proceedings; and every such general Report
shall be laid before both Houses of Parlia-
ment, within Six Weeks after the Date there-
of if Parliament be then sitting, or, if Parlia-
ment be not then sitting, within Six Weeks
after the next Meeting of Parliament; and
that every such Report shall contain a dis-
tinct Statement of every Order and Direction
issued by such Poor Law Commissioners in
respect to Out-door Relief^a.

CONFIRMATION OF PAST PROCEEDINGS.

22. And be it enacted, That, save when
varied or repealed by this Act, and subject to
the Provisions herein contained, all the Powers
and Provisions of the recited Acts, and of all
other Acts relating to the Relief of the Poor
in *Ireland*, and every of them, and every thing
lawfully done under the same or in pursuance
thereof, and all lawful Acts and Proceedings
of the Poor Law Commissioners and their
Assistant Commissioners, and any Officers
acting under them, or in virtue of the said
Acts or any of them, or under their Authority,
or by any other Person acting in the Adminis-
tration of the Laws for the Relief of the Poor
in *Ireland*, on or before the Day^b when the
Commissioners shall enter on their Office,
shall be as valid as if this Act had not been
passed; and every Suit or other Proceeding,
civil or criminal, begun before the last-men-

^a Under 10 Vic. c. 31 (p. 128). And see § 29 of that act (p. 150),
and § 20 of 12 & 13 Vic. c. 101 (p. 199), as to other statements to be
included in the Annual Poor Law Reports of the Commissioners.
Further provision is likewise made in the Dispensaries Act, 14 & 15
Vic. c. 68, § 20, for an Annual Report under that act (p. 224).

^b See § 2 and note ^a thereon (p. 158).

Confirmation
of Proceed-
ings under
previous
Acts.

tioned Day in the Name and under the Authority of the Poor Law Commissioners, shall have the same Force and Effect, if continued in their Names, under the Sanction of the Commissioners^a, as if the Poor Law Commissioners had continued to act in execution of the said Acts of Parliament; and nothing herein contained shall in any way take away or interfere with any Right of Action or of Defence to the same, or any Liability to be sued or prosecuted for any Penalty for or against any Person, under the said Acts or any of them, according to the respective Provisions thereof, which shall have accrued wholly or in part before the last-mentioned Day.

10 & 11 Vic.
c. 90,
IRISH POOR
LAW
ADMINIS-
TRATION
ACT,
1847.

DURATION OF COMMISSION.

23. Provided always, and be it enacted, That no Commissioner constituted under this Act, nor any Inspector, Secretary, or other Officer or Person to be appointed and employed by the Commissioners in the Business of their Office under this Act, shall continue to hold his respective Office under this Act, or exercise any of the Powers given by this Act, for a longer period than Five Years next after the Day of the passing of this Act and thenceforth until the end of the then next Session of Parliament^b; and from and after the Expiration of the said Period of Five Years and of the then next Session of Parliament, so much of this Act as enables Her Majesty to appoint any Commissioners shall cease to operate or to have any Effect whatever^b.

Limitation
of Appoint-
ment of Com-
missioners -
and their
Officers.

^a *i.e.*, the Commissioners under this act: see provision at end of § 1 (p. 158).

^b The Commission, as modified by the Dispensaries Act of 1851, 14 & 15 Vic. c. 68 (p. 207), was renewed and continued in 1852 by 15 & 16 Vic. c. 37 (p. 225); and again in 1854, by 17 & 18 Vic. c. 63 (p. 227), by which last act it is continued until the end of the parliamentary session next after the 23rd July 1859.

10 & 11 Vic.
c. 90,
IRISH POOR
LAW
ADMINIS-
TRATION
ACT,
1847.

Interpreta-
tion.

1 & 2 Vic.
c. 56.
6 & 7 Vic.
c. 92.

Act may be
amended,
&c.

INTERPRETATION, &c.

24. And be it enacted, That this Act shall be construed in the same Manner as the said Acts of the Second Year and the Seventh Year of the Reign of Her Majesty, and as One Act with the same and with the Acts and Provisions thereby directed to be construed as one Act, unless where otherwise directed by this Act; and that the Words "Lord Lieutenant" shall be construed to include Lord Justices or other Chief Governor or Governors of *Ireland*^a.

25. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

^a Interpretation of the words "the Commissioners," see end of § 1 (p. 158) : "General Rule," § 15 (p. 163).

11 & 12 VICT. CAP. 25.

11 & 12 VIC.
c. 25,
WORKHOUSE
LAND AND
BURIAL ACT,
1848.

An Act to extend the Powers given by former Acts for purchasing or hiring Land in Connexion with or for the Use of Workhouses in *Ireland*; and for providing for the Burial of the Poor.

[30th June 1848.]

LAND FOR EMPLOYMENT AND INSTRUCTION OF
CHILDREN IN AGRICULTURE.

§ 1. WHEREAS by an Act passed in the Second Year of the Reign of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor of^a Ireland*, Power was given to the Poor Law Commissioners to purchase or hire any Land of any Tenure, not exceeding Twelve Acres Imperial Measure, for the Purpose of building a Workhouse thereon, or to be occupied with any such Workhouse^b: And whereas by another Act passed in the Tenth Year of the Reign of Her present Majesty, intituled *An Act to make further Provision for the Relief of the destitute Poor in Ireland*, further Power was given to the said Commissioners to purchase or hire Land not exceeding Three Statute Acres, in addition to the aforesaid Twelve Acres, to be used for the site of a Fever Ward, or for a Cemetery, or for such other purpose as the said Commissioners might approve^c: And whereas it is desirable that the Powers of the Commissioners for administering the Laws for the Relief of the Poor in *Ireland* to hire or purchase Land should be further extended, in order that a greater Quantity thereof may be cultivated for the Employment of Children or Persons under the Age of Sixteen who are

1 & 2 Vic.
c. 56.

10 Vic. c. 31.

^a Sic. ^b § 5 of 1 & 2 Vic. c. 56 (p. 28). ^c § 20 of 10 Vic. c. 31 (p. 142).

11 & 12 VIC.
c. 25,
WORKHOUSE
LAND AND
BURIAL ACT,
1848.

On Memorial
from majori-
ty of Guar-
dians, Com-
missioners
may pur-
chase or hire
additional
Land for
purposes
stated, with
Approval
of Lord
Lieutenant,

but such
addition not
to exceed
25 Acres.

Inmates of Workhouses, and for the further Purpose of thus instructing such Children in an improved System of the Cultivation of Land: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Majority of the Guardians of any Union to memorialize^a the Commissioners to hire or purchase such additional Quantity of Land as may be deemed necessary for the aforesaid Purposes, according to the Circumstances of the Union; and on Receipt of such Memorial^a, it shall be lawful for the Commissioners, by and with the Approval of the Lord Lieutenant of *Ireland*, to hire or purchase such Quantity of Land as they shall think requisite for the Purposes aforesaid: Provided always, that the Quantity of Land so hired or purchased shall not exceed Twenty-five Statute Acres in Addition to the Quantity heretofore authorized by Law, and shall be used solely for the Purposes above stated.

SCHOOL DISTRICTS.

Repeal of
Provisions in
10 Vic. c. 31,
as to School
Districts:

2. And be it enacted, That so much of the said recited Act passed^b in the Tenth Year of the Reign of Her present Majesty as extends to other Parts of *Ireland* certain Provisions of the said Act relating to the Establishment of Schools in the *North* and *South Dublin* Unions, and which authorizes the Poor Law Commissioners to combine Unions into School Districts for the Management of certain Classes of Infant Poor in the said Act specified, be repealed: and in lieu thereof, it shall be lawful

^a For a form of Memorial under this provision, see Form No. 52 (in Part IV.).

^b § 24 of 10 Vic. c. 31 (p. 146), hereby repealed.

for the Commissioners for administering the Laws for the Relief of the Poor in *Ireland* to combine any Two or more Unions in *Ireland* for the Maintenance and Education of Children not above the Age of Fifteen Years, being Inmates of the Workhouses of such Unions respectively; and that all the Provisions of the said Act which relate^a to the hiring and purchasing of Land for the like Purpose in respect of the *North* and *South Dublin* Unions, the Erection of a School on such Land, the Contribution to the Cost thereof, and the Expenses of furnishing, fitting up, and otherwise providing such School, the Mode of Charging the Maintenance of the Children, and regulating the proportionate Numbers thereof to be received from each Union, the Establishment of a Board of Management of such School, and the Appointment of Officers for the Superintendence thereof, and all other the Powers and Provisions relating to the Establishment of such School for the Use of the *North* and *South Dublin* Unions, shall apply in like Manner to every Combination of Two or more Unions under this Act^b.

11 & 12 Vic.
c. 25.

—
Provisions
for Combi-
nation of
Unions into
School dis-
tricts, and
Establish-
ment of dis-
trict Schools.

BURIAL OF PAUPERS.

3. And be it enacted, That it shall be lawful for the Board of Guardians of any Union in *Ireland* to provide a Coffin for the Burial of any deceased Person who at the Time of his or her Death shall have been receiving Relief out of the Workhouse at the Charge of the said Union or any Electoral Division therein, or who shall have been at the Time of his or her Death dependent for Support on any Person receiving such Relief;

Coffins may
be provided
by Boards of
Guardians
for Burial of
Persons who
at the Time
of Death
were receiv-
ing Out-door
Relief.

^a 10 Vic. c. 31, § 21–23 (p. 143–6).

^b Commissioners' Orders combining Unions into School Districts, and regulating the charge for maintenance of children therein, with Names of Unions to which such orders have been issued; Part II. 7.

11 & 12 Vic.
c. 25,
WORKHOUSE
LAND AND
BURIAL ACT,
1848.

Construction
of Act.

Act may be
amended,
&c.

Burial:
supply of
Coffins.

7 Geo. 4, c. 72;
Vestry Act.

Parish assess-
ments may be
made for Coff-
ins provided
for poor
people de-
ceased:
Churchward-
ens may pay
for Coffins,
on Certificate
of Six House-
holders that
relatives have
not means,
&c.

and to charge the Cost of providing such Coffin to the Union at large or Electoral Division to which such Relief shall have been chargeable, as the Case may be^a.

4. And be it enacted, That the several Acts now in force for the Relief of the destitute Poor in *Ireland* and this Act shall be construed as One Act, except so far as the Provisions of any one of such Acts may repeal or alter the Provisions of any previous Act.

5. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

^a Until the passing of this Act, there was no provision for the supply of Coffins by Boards of Guardians out of the poor-rates for the burial of any persons who did not die in the Workhouse; except in certain cases under the Temporary Fever Acts, 10 Vic. c. 22, passed in 1847, and 12 Vic. c. 131, (which expired at the close of the Session of Parliament in 1850), and under the Nuisances Removal and Diseases Prevention Act, 1848, (12 Vic. c. 123) so long as an Order in Council under that act is in force. Under § 16 of the first-named act, power was given for the burial of poor persons dying of any contagious and epidemic disease. And under § 10 of the act of 1848 (12 Vic. c. 123, in Appendix), power is given to the Commissioners to issue directions and regulations providing amongst other things for the speedy interment of the dead, where an Order in Council has been previously issued and continues in force, by which the provisions of that act, for preventing the spread of disease on the appearance of "any formidable epidemic, endemic, or contagious disease," such as Cholera, Fever, &c., are put in operation.

Provision is also made in the Vestry Act, 7 Geo. 4, c. 72, § 10, for the supply of Coffins for poor persons deceased; but it does not appear to contemplate or be adequate for cases of emergency, such as are provided for in the act above referred to, in the event of a prevalent epidemic. The following is the section from the Vestry Act:—

"§ 10. And whereas Doubts have been entertained whether any Assessments can be lawfully made of any Sums for providing Coffins for the Interment of Poor Persons dying in any Parish, Union, or Chapelry in Ireland; Be it therefore enacted, That from and after the Commencement of this Act, Assessments may be lawfully made for such Purposes: Provided always, that no Sum or Sums shall be expended by any Churchwarden or Chapelwarden of any Parish, Union, or Chapelry, for any such Purposes, unless a Certificate be first given to such Churchwarden or Chapelwarden, signed by Six or more Householdors who are rated to, and shall have paid, the Parish Cess in such Parish, Union or Chapelry, of whom a Justice of the Peace (if any such be resident within the Parish) shall be one, that in their Opinion it is proper and necessary that such Coffins shall be respectively so provided at the Expense of such Parish, Union, or Chapelry, and that the Relatives of the Deceased have not the Means to defray the Expense thereof."

11 & 12 VICT. CAP. 47.

11 & 12 Vic.
c. 47,
EVICTED
POOR PRO-
TECTION ACT,
1848.

An Act for the Protection and Relief of the
destitute Poor evicted from their Dwellings
in *Ireland*.

[14th August 1848.]

TIME FOR EXECUTION OF WRITS OF EVICTION.

§ 1. WHEREAS it is expedient to regulate the Time of executing Process for taking Possession of Land, and to provide for the better Relief of the destitute Poor evicted from their Dwellings in *Ireland*: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, no Writ of Habere facias possessionem, Decree, Order, or other Process for the delivering up or taking Possession of Land in *Ireland*, shall be executed on any *Christmas Day* or *Good Friday*, nor on any Day within the Time after the Commencement of Two Hours next before Sunset, and before Sunrise or Six o'Clock in the Morning, whichever shall be latest.

No writ, &c.
for taking
possession of
Land to be
executed on
the Days or
within the
Hours herein
mentioned.

NOTICE TO RELIEVING OFFICER.

2. And be it enacted, That not less than Forty-eight Hours before any such Writ, Decree, Order, or Process as aforesaid, for delivering up or taking Possession of Land on which there shall be any inhabited Dwelling House or Building used as a Dwelling House, shall be executed in any County in *Ireland*, the Landowner or other Person by whom or on whose Behalf such Writ, Decree, Order, or other Process as aforesaid, shall

Where there
is a Dwelling
on the land,
Notice of
Execution of
Writ to be
given by
Landowner,
&c. or his
Agent, to the
Relieving
Officer.

11 & 12 Vic.
c. 47,
EVICTED
POOR PRO-
TECTION ACT,
1843

have been sued out, or his Agent, shall give Notice in Writing to the Relieving Officer^a of the Electoral Division in which such Land shall be situate; and such Notice shall set forth the Parish or Barony, Electoral Division, and Townland, in which the Land of which Possession is so to be delivered up or taken is situate.

Notice how
to be given:

3. And be it enacted, That every Notice to be given to any Relieving Officer under this Act, shall be given by delivering the same to such Relieving Officer, or by leaving the same, directed to such Relieving Officer, at his Dwelling House or Office, or by Letter sent by the Post directed to the Relieving Officer at such Dwelling House or Office; and in case the same shall be so sent by the Post, such Notices shall be delivered,—directed, open, and in Duplicate,—to the Postmaster of any Post Office; and the Postmaster shall compare the Notice and the Duplicate, and, on being satisfied that they are alike, shall forward one of them to its Address by the Post, and shall return the other to the Party bringing the same, stamped with the Stamp of the said Post Office; and such Postmaster shall be entitled to have and receive from the Person delivering such Letter, the Rate of Postage payable for the same and the Sum of Sixpence, and no more; and such stamped Duplicate shall be Evidence of the Notice having been given on the Day on which such Notice would, in the ordinary Course of Post, have been delivered at such Dwelling House or Office of the Relieving Officer.

Duty of
Postmasters;

Fee:

Evidence in
case of trans-
mission by
post.

Persons
becoming
destitute by

RELIEF.

4. And be it enacted, That it shall be lawful for Persons who shall become destitute

^a See penalty in § 6 for omitting to give such notice (p. 177).

by reason of their being dispossessed or removed of or from any Dwelling House, or other Building used as a Dwelling House, by or under such Writ, Decree, Order, or other Process as aforesaid, to apply for Relief to the Relieving Officer of the Electoral Division in which the said Land or House shall be situate: and such Relieving Officer shall, on the Receipt of such Application, take Order for providing Shelter for any such Applicants, being destitute Persons, by an Order of Admission into the Workhouse of the Union, if there be Room therein,—by conveying any such destitute poor Person thereto if necessary;—or by affording such destitute poor Persons temporary Relief in Food, Lodging, Medicine, or Medical Attendance, until the next ordinary Meeting of the Board of Guardians; at which Meeting he shall report the Case, and the Nature and Cost of the Relief so afforded, in such Form and Manner as the Poor Law Commissioners shall prescribe^a, and after such Report shall give no further Relief otherwise than by Direction of the Board of Guardians in the Case so reported: and the Guardians shall furnish the Relieving Officer with Funds for affording such Relief, in the same Manner and subject to the same Rules and Conditions as are or may be provided^a for all other Relief granted by the Relieving Officer under and by virtue of an Act passed in the Tenth Year of the Reign of Her present Majesty, intituled *An Act to make further Provision for the Relief of the Destitute Poor in Ireland*: and it shall be lawful for such Guardians, if they shall think fit, to provide every such destitute

11 & 12 Vic.
c. 47,
EVICTED
POOR PRO-
TECTION ACT,
1848.

being dispossessed, may apply to Relieving Officer, who is to provide shelter or temporary relief in manner directed.

Relieving Officers to be furnished with Funds for the purpose.

10 Vic. c. 31.

^a See § 7 of 10 Vic. c. 31 (p. 132): and Regulations of the Commissioners as to duties of Relieving Officers and mode of reporting cases of application for relief, in General Regulations of 19 Jan. 1852, and Accounts Order of 8 April 1853 (Part II. 2, 4).

11 & 12 Vic.
c. 47,
EVICTED
POOR PRO-
TECTION ACT,
1848.

But Relief
not to be
given after
One Month,
except as
provided in
Irish Poor
Relief Acts.

Notice to be
given to
Occupier of
a Dwelling
House where
he has not
had Notice in
the Action or
notice to de-
termine his
Tenancy.

poor Person with Relief to the same Extent as destitute poor Persons permanently disabled from Labour by reason of Old Age, Infirmary, or bodily or mental Defect, are by Law entitled to Relief in *Ireland*^a: Provided always, that it shall not be lawful for the Guardians to relieve such destitute poor Persons after the Period of One Calendar Month from the Date of such temporary Relief as aforesaid being afforded, except in the Manner by which such poor Persons could be relieved under the Acts now in force for the Relief of the destitute Poor in *Ireland*.

5. And be it enacted, That in case there shall be upon any Land of which Possession is to be delivered up or taken under such Writ, Decree, Order, or Process, as aforesaid, any inhabited Dwelling House or Building used as a Dwelling House, the Occupier of which shall not have received Notice as a Tenant for the Determination of his Tenancy; or shall not have been served with Notice of the Action, Civil Bill, or other Proceeding in which such Writ, Decree, Order, or Process shall have been sued out, such Occupier of every such inhabited Dwelling House or Building as aforesaid shall be served with Notice in Writing of the Intention to execute such Writ, Decree, Order, or Process, not less than Seven Days before the same shall be executed; and such Notice may be served by delivering the same to such Occupier, or by leaving such Notice at such Dwelling House or other Building, or affixing the same

^a Under § 1 of 10 Vic. c. 31 (p. 128), in pursuance of which such persons may be relieved either in or out of the Workhouse; but under the proviso in the present section, persons evicted and applying for relief are, after the first month from the receipt of temporary relief, only entitled to relief in the same manner as other classes, and cannot therefore receive out-door relief except in the contingencies contemplated and provided for in sections 1 & 2 of 10 Vic. c. 31.

to some conspicuous Part of such Dwelling House or other Building: Provided always, that it shall not be necessary to name in such Notice as aforesaid the Occupier to or for whom such Notice shall be delivered, left, or affixed, or to serve any such Notice on any Occupier who shall have become such Occupier less than Twenty-one Days before the Execution of such Writ, Decree, Order, or other Process.

11 & 12 Vic.
c. 47,
EVICTED
POOR PRO-
TECTION ACT,
1848.

6. And be it enacted, That in case the Landlord or other Person by whom or on whose Behalf such Writ, Decree, Order, or other Process shall have been sued out, shall neglect or omit to serve the Notice required by this Act to be served on the Relieving Officer^a, he shall forfeit and pay the Sum of Twenty Pounds to the Guardians of the Union in which the Land shall be situate; and such Sum may be recovered by Civil Bill or otherwise, and shall be applied in Aid of the Rates of the Electoral Division in which such Land shall be situate; and, in case such Landlord or other Person shall be resident out of *Ireland*, may be recovered from him by Action at Law; and the Service of Process in such Action on the Attorney or Agent by whom such Writ, Decree, Order, or other Process may have been sued out, shall be good Service on such Landlord or other Person as aforesaid.

Penalty on
executing
Writ without
requisite No-
tice to the
Relieving
Officer;

to be paid to
Guardians in
aid of Rates:

mode of re-
covery.

7. And be it enacted, That whosoever, with Intent to dispossess any Person actually dwelling in a House or other Building used as a Dwelling House (whether such Person shall be so dwelling under a continuing Tenancy or holding over after the Expiration thereof, or otherwise), shall, except so far as

Unroofing,
&c. of Dwell-
ings for the
Purpose of
dispossess-
ing the Occu-
pier while
in it, a Mis-
demeanor.

^a Under § 2, 3 (p. 173-4).

11 & 12 VIC.
c. 47,
EVICTED
POOR PRO-
TECTION ACT,
1848.

may be necessary to enable the Sheriff or his Officer to effect an Entrance thereto, pull down, demolish, or unroof, in whole or in part, or cause to be pulled down, demolished, or unroofed, in whole or in part, such Dwelling House or Building used as a Dwelling House, whilst such Person or any of his Family shall be actually within the same, shall be guilty of a Misdemeanor.

Provisions of
Act to apply
to Crown
Property in
Ireland, and
to Proceed-
ings on the
part of the
Crown.

8. And be it enacted, That all the Provisions in this Act contained, shall apply, and shall be construed to apply, to all the Estates and Possessions of the Crown in *Ireland*, and to all Proceedings taken on behalf of Her Majesty, under the Authority of the Lords Commissioners of the Treasury, or the Commissioners of Woods and Forests, or the Clerk of the Quit Rents, for recovering the Possession of any Part of such Crown Estates, whether by Writ of Intrusion, Ejectment, or otherwise, in as full and ample a Manner and subject to all the Enactments herein contained and made applicable in respect to all private Parties recovering the Possession or proceeding to recover the Possession of other Lands, not being the Property of the Crown.

Interpreta-
tion of Act.

9. And be it enacted, That in the Construction of this Act, where the Subject or Construction shall not be repugnant, Words importing the Singular Number shall extend to and include the Plural, and Words importing the Masculine Gender shall include Females as well as Males.

Act may be
amended, &c.

10. And be it enacted, That this Act may be amended or repealed in the present Session of Parliament.

12 & 13 VICT. CAP. 4.

An Act to amend the Laws relating to the Appointment of Vice-Guardians of Unions in *Ireland*.

12 & 13 Vic.
c. 4,
VICE-GUAR-
DIANS' ACT,
1849.

[9th March 1849.]

TEMPORARY CONTINUANCE OF VICE-GUARDIANS^a.

§ 1. WHEREAS by an Act passed in the Second Year of the Reign of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in Ireland*^b, and by a further Act passed in the Tenth Year of the Reign of Her said Majesty, intituled *An Act to make further Provision for the Relief of the destitute Poor in Ireland*^c, the Commissioners for administering the Laws for the Relief of the Poor in *Ireland* are authorized and empowered, in certain Cases in the said Acts specified, to dissolve the Board of Guardians of any Union in *Ireland*, and in lieu thereof to appoint paid Officers to carry into execution the Provisions of the said Acts; and it is by the said Acts further provided, that such paid Officers when appointed shall, unless the Commissioners shall sooner revoke or determine their Appointment, hold their Offices for the Time^d of One Year from the Date of their Appointment, and thenceforth till the Time of the next Election of Guardians for such Union, and no longer: ^aAnd whereas the said Commissioners did, before the Twenty-fifth Day of March which was in the Year One thousand eight hundred and forty-eight,

1 & 2 Vic.
c. 56.

10 Vic. c. 31.

^a The provisions of this act were of temporary operation, and are now superseded by the lapse of time, with the exception of a part of § 3, which continues in permanent operation.

^b § 26 of 1 & 2 Vic. c. 56 (p. 20).

^c § 18 of 10 Vic. c. 31 (p. 140).

^d Sic. For *time* read *term*, as in the act cited.

12 & 13 VIC.
c. 4,
VICE-GUAR-
DIANS' ACT,
1849.

dissolve the Boards of Guardians of certain Unions in Ireland^a, and did before the said Day in the said Year appoint paid Officers to carry into execution the Provisions of the said Acts in each of the said Unions respectively; and the Powers of the said paid Officers, or their Successors, as the Case may be, will under the Provisions of the said Acts cease and determine on the Twenty-fifth Day of March next, in this present year One thousand eight hundred and forty-nine: And whereas it is expedient that in certain of the said Unions the paid Officers so appointed as aforesaid, or their Successors, as the Case may be, should continue in Office for a Period subsequent to the Twenty-fifth Day of March next, as hereinafter is provided, and that the Re-election of a Board of Guardians in each of the said last-mentioned Unions should be postponed for such farther Period: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in all Cases in which the Board of Guardians of any Union in Ireland shall have been dissolved, and paid Officers shall have been appointed to carry into Execution the Provisions of the said Acts, before the Twenty-fifth day of March which was in the Year One thousand eight hundred and forty-eight^a, it shall be lawful for the said Commissioners, by an Order under their Seal, to direct the

In cases in which Boards of Guardians have been dissolved, and Vice-Guardians appointed, Commissioners empowered to continue the latter until 1 Nov. 1849.

^a Unions of which the Boards of Guardians were so dissolved before 25 March, 1848 :—Athlone, Ballina, Ballinrobe, Bantry, Cahirciveen, Carrick-on-Shannon, Castlebar, Castlerea, Cavan, Clifden, Cootehill, Enniskillen, Ennistymon, Galway, Gort, Granard, Kanturk, Kenmare, Kilkenny, Kilrush, Longford, Loughrea, Lowtherstown, Mohill, Newcastle, New Ross, Roscommon, Scariff, Trim, Tuam, Tullamore, Waterford, Westport.

Continuance in Office of the said paid Officers or of their Successors, as the Case may be, until the First Day of November in the present Year One thousand eight hundred and forty-nine^a: and on the Issue of such Order in the Case of any Union or Unions, the paid Officers of each such Union or their Successors, as the Case may be, shall continue in Office until the said First Day of November in the present Year One thousand eight hundred and forty-nine, (unless their Appointment be sooner revoked and determined by the said Commissioners,) and no longer; and shall have all the same Powers and Authorities as are given to such Paid Officers during their Continuance in Office under the Provisions of the said Acts, anything in the said Acts to the contrary notwithstanding.

12 & 13 Vic.
c. 4,
VICE-GUAR-
DIANS' ACT,
1849.

2. And be it enacted, That no Election of Guardians of any Union in regard to which any such Order under Seal of the said Commissioners shall have been issued, shall take place at the annual Period for the general Election of Guardians in the said first-recited

Elections of
Guardians in
such cases
stayed.

^a The Vice-Guardians were so continued in office for various periods after 25 March 1849, but not later than 1 November 1849, in the Unions named in the preceding note ^a, p. 180: with the exception of Lowtherstown Union, in which a Board of Guardians was re-elected in March, 1848; and of Cavan and Trim Unions, in which Boards of Guardians were re-elected in March, 1849.

In Mullingar Union, the Board of Guardians was dissolved on 1 May, 1848, and Vice-Guardians were acting until 19 April, 1849, when a Board of Guardians was again elected. In Listowel Union, the Board was dissolved on 1 November, 1848, and Vice-Guardians were appointed, who were re-placed by a new Board of Guardians on 2 October, 1849.

In the following Unions, in which the Board of Guardians was dissolved after 25 March, 1848, the term of office of the Vice-Guardians continued until 25 March, 1850:—namely, Boyle, Cashel, Thurles, Tipperary.

These are all the Unions in which a Board of Guardians has been dissolved, and in which Vice-Guardians have been appointed, at any time; being 39 in all. These dissolutions and appointments took place, it will be seen, during the pressure of the Famine of 1847, and the trying period of distress and difficulty consequent upon it.

12 & 13 VIC.
c. 4,
VICE-GUAR-
DIANS' ACT,
1849.

Act provided; that is to say, on the Twenty-fifth Day of March in the present Year One thousand eight hundred and forty-nine, or in Fourteen Days thereafter: and that all Notices of such Election, and all other Proceedings therein, shall on the Issue of such Order under Seal of the said Commissioners be abated and discontinued, and be of no Validity or Effect whatever; but in all Cases in which the Commissioners shall not issue such Order under their Seal, the annual Election of Guardians shall take place, and the Powers of the paid Officers shall cease and determine, as in the above recited Acts is provided; that is to say, on the Twenty-fifth day of March in the present Year One thousand eight hundred and forty-nine.

RE-ELECTION OF BOARDS OF GUARDIANS.

Commissioners may discontinue Vice-Guardians and order Election of Guardians at any Time.

3. And be it enacted, That it shall be lawful for the said Commissioners at all Times^a, in any Case in which the Board of Guardians of a Union shall have been heretofore or shall be at any Time hereafter dissolved, and in which paid Officers shall have been or shall be appointed as aforesaid, to issue an Order under their Seal directing the Discontinuance in Office of such paid Officers and the Re-election of a Board of Guardians; and on the Issue of such Order under the Seal of said Commissioners, such Election of a Board of Guardians shall take place according to the Directions of the said Commissioners, and all the Powers and Authorities of such paid Officers shall cease and determine at the Time

^a Under the previous acts, there was no provision for re-electing Guardians after the dissolution of the Board in any Union, at any other period than March,—the ordinary time for the Annual Election of Guardians (§ 20, 26 of 1 & 2 Vic. c. 56, p. 14, 21). Vice-Guardians may now be discontinued, and Guardians re-elected, at any period.

fixed for that Purpose in the Order of the said Commissioners: ^aProvided that in the Case of any Union, the Board of Guardians of which shall have been dissolved, and in which paid Officers shall have been appointed as aforesaid, before the Twenty-fifth Day of March which was in the Year One thousand eight hundred and forty-eight^b, the said Commissioners shall by Order under their Seal direct such Election of Guardians to take place, and shall direct the Discontinuance of such paid Officers to take effect, on some Day not later than the First Day of November in the present Year One thousand eight hundred and forty-nine.

4. And be it enacted, That this Act may be amended or repealed in the present Session of Parliament^a.

^a See note ^a in p. 179.

^b See notes on preceding sections, (p. 180-1,) as to these cases.

12 & 13 VIC.
c. 104,
IRISH POOR
LAW
FURTHER
AMENDMENT
ACT,
1849.

12 & 13 VICT. CAP. 104.

An Act to amend the Acts for the more effectual Relief of the destitute Poor in *Ireland*.

[1st August 1849.]

CHARGEABILITY ACCORDING TO RESIDENCE.

Rules for
charging
expense of
Relief
according to
Residence of
applicants.

§ 1. WHEREAS it is expedient to amend the Laws in force for the more effectual Relief of the destitute Poor in *Ireland*: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for the Purpose of charging the Expense of Relief to any Electoral Division^a, every Person making Application for Relief shall, after the passing of this Act, be deemed to have been resident in such Electoral Division in which during the Period of Three Years next immediately before his Application for Relief he shall have been longest usually resident, whether by usually occupying any Tenement situate, or by usually sleeping, within such District: Provided always, that where any such Person shall not have occupied a Tenement or slept within any such Electoral Division for at least Twelve Months in the whole during the said Period of Three Years, the Expense of the Relief of such Person shall in such Case be borne by and charged against the whole Union in which he or she is relieved; provided also, that where any Person chargeable to any Electoral Division shall have

^a Previous provisions on this head, in § 44 of 1 & 2 Vic. c. 56, § 12 of 6 & 7 Vic. c. 92, and § 12 of 10 Vic. c. 31.

received Relief, and shall cease to be relieved, and shall thereafter within the Period of Twelve Months again begin to receive Relief, such last-mentioned Relief shall be chargeable on the Electoral Division to which such Person was in the first instance chargeable; provided also, that the Cost for^a the Relief of destitute Poor who shall not have resided in the Union where such Relief is given for the last Three Years next previous to receiving such Relief shall be charged and chargeable according to the Provisions of an Act passed in the Tenth Year of Her present Majesty, intituled *An Act to make further Provision for the Relief of the destitute Poor in Ireland*^b.

12 & 13 Vic.
c. 104,
IRISH POOR
LAW
FURTHER
AMENDMENT
ACT,
1849.

DISSOLUTION OR ALTERATION OF UNIONS.

2. And be it enacted, That so much of an Act passed in the Second Year of Her present Majesty's Reign, intituled *An Act for the more effectual Relief of the destitute Poor in Ireland*, as authorizes and empowers the Commissioners therein mentioned, in case of a total or partial Dissolution of any Union, or other Alteration of the Limits thereof, to ascertain the proportionate Value of any Property to any Townland, and the proportionate Amount of the Liabilities chargeable to any Townland affected by such Alteration, and to fix the Amount payable to or from any Townland so affected, and to direct the Manner of paying, securing, and applying the Sums so payable, and the raising of the same^c, be repealed, except as to anything heretofore done or now pending under the said Act; and that,

Dissolution
or alteration
of Unions:
Repeal of
provisions in
1 & 2 Vic.
c. 56.

Commission-
ers to issue

^a Sic. ^b 10 Vic. c. 31, § 12 (p. 135). Section 13 of 6 & 7 Vic. c. 92 provides an Appeal against the decision of a Board of Guardians charging a pauper to an Electoral Division, in the same manner as Appeals may be had under 1 & 2 Vic. c. 56, § 106 *et seq.* (p. 83, 120).

^c 1 & 2 Vic. c. 56, § 16 (p. 11), hereby repealed.

12 & 13 VIC.
c. 104,
IRISH POOR
LAW
FURTHER
AMENDMENT
ACT,
1849.

Order for
the Adjust-
ment of Ac-
counts on
any altera-
tion of the
limits of a
Union or
Electoral
Division :

Commission-
ers may order
Special
Rates to be
made if
necessary for
the above
purpose.

from and after the passing of this Act, it shall be lawful for the Commissioners for administering the Laws for the Relief of the Poor in *Ireland*, and they are hereby required, in all Cases wherein any Change shall be made, under the Provisions of the said Act, in the Boundaries of any Union or Electoral Division, to make such Order under their Seal^a as to them shall appear necessary, for the Adjustment of the Liabilities of such Union or Electoral Division existing at the Time of Change, and the proportionate Share thereof to be borne by any Townland or Townlands affected by such Change, and likewise for indemnifying any Union, Electoral Division, or Townland for any Loss or Exchange of Property occasioned by such Alteration of Boundaries, and for charging on any such Union, Electoral Division, or Townland, the Value of any Property or Share thereof acquired or taken in Exchange by reason of such Alteration, and the Expense of such Indemnification as aforesaid; and the said Commissioners shall be empowered to direct, if they shall see fit, the levying of any Sum which it shall be necessary to raise for such Adjustment, Charge, or Indemnification as aforesaid, by special Rate or otherwise on any Union, Electoral Division, or Townland, as in the said Order shall be expressed; and every such special Rate shall be made by the Parties and in the Manner to be specified in the said Order, and shall be levied by all the same Powers, Ways, and Means as are provided for the levying of Rates under the Provisions of the said Act, and of the several Acts amending the same, and of this Act.

^a See Orders of the Commissioners under this section, for the Adjustment of Liabilities and Indemnification for Loss, &c., on alteration of Boundaries or Electoral Divisions (in Part II. 5).

NEW UNIONS : WORKHOUSES.

3. And be it enacted, That if upon the Formation of any new Union it shall appear to the said Commissioners expedient that until sufficient Workhouse Accommodation shall be provided for such Union, either by the Erection of a new Workhouse or by the Adaptation of any existing Buildings for such Purpose, a Portion of the Workhouse Accommodation existing in the Union or Unions of which any Portion of such new Union shall have previously formed a Part, should, for a limited Time, be reserved for such Portion of the new Union, it shall be lawful for the said Commissioners to make such Order under their Seal as to them shall appear necessary for appropriating any Part of the Workhouse Accommodation of such Union or Unions for the Use of such Portion of the new Union as aforesaid; and to make such Regulations for the Government of such Workhouses, and for the Admission and Discharge of Paupers therefrom, for any Period not exceeding Three Years from the Formation of such new Union, as under the Circumstances they may think proper; and it shall be lawful for the Guardians of such new Union to make Order for the Admission of any Paupers chargeable to such new Union, or to any Electoral Division thereof, into any Workhouses to which such Order of the said Commissioners shall apply, and for their Discharge therefrom, in such Numbers and according to such Regulations as shall or may from Time to Time be prescribed by the said Commissioners, and to provide for the Conveyance of such Paupers to or from such Workhouses; and such Orders of Admission or Discharge, made by such Guardians according to the Regulations prescribed as

12 & 13 VIC.
c. 104,
IRISH POOR
LAW
FURTHER
AMENDMENT
ACT,
1849.

Provision of
Workhouse
Accommoda-
tion for new
Unions.

Commission-
ers may order
part of exist-
ing Work-
houses to be
appropriated
to new
Unions, for
a time.

Guardians of
new Unions
to provide
for Relief of
Paupers in
such Work-
houses, and
conveyance
thereto.

12 & 13 VIC.
c. 104,
IRISH POOR
LAW
FURTHER
AMENDMENT
ACT,
1849.

Commissioners to regulate charges for use of such Workhouses.

Proviso as to chargeability of Paupers discharged from such Workhouses, and again becoming chargeable.

Enforcing payment of expenses by new Unions.

aforesaid, shall be binding on the Guardians of the Unions in which the Workhouses are situate, and on their Officers: and it shall be lawful for the said Commissioners, and they are hereby empowered, from Time to Time to fix and determine the Sum which shall be paid by such new Union or any Part thereof for the Maintenance and Clothing of the Paupers chargeable to such new Union or any Part thereof, and the Proportion of the Establishment Charges which shall be paid for the Accommodation reserved in such Workhouse; and, subject to the Provisions hereinbefore in this Act mentioned, shall make Order for the Payment of such Sum on the Guardians of such new Union, specifying the Periods at which such Payments shall be made, either wholly or in part: and the said Commissioners may, at their Discretion, from Time to Time, suspend, alter, or rescind such Orders and Regulations aforesaid or any of them: Provided always, that if any Pauper who shall have been sent to any Workhouse as aforesaid situate out of the Union to which, or to any Electoral Division of which, such Pauper is chargeable, shall be discharged therefrom, either by Order of the Guardians or at his own Request, and shall become destitute in the Union in which such Workhouse is situate, within Twelve Calendar Months from his Discharge, the Expense of his Maintenance in such Workhouse shall be chargeable against the Union or Electoral Division from whence he was originally sent.

4. And be it enacted, That if the Guardians of any such new Union shall refuse or neglect to make the Payments according to the Terms and at the Periods prescribed by the said Commissioners as aforesaid, it shall be lawful for the said Commissioners to make

an Order under their Seal, requiring such Payments to be made by the Treasurer of such new Union; and thereupon the Treasurer of such new Union shall pay to the Treasurer of the Union in whose Behalf such Order shall have been made, the Sums specified in the Order of the Commissioners, at such Times and in such Portions as shall be prescribed by such Order; and the Receipt of the Treasurer appointed in such Order to receive the Payments prescribed shall be sufficient Discharge to the Treasurer of such new Union for so much Money paid by him, and shall be allowed in auditing and passing his Accounts.

12 & 13th Vic.
c. 104,
IRISH POOR
LAW
FURTHER
AMENDMENT
ACT,
1849.

TAKING OF LAND, &c.

5. And be it enacted, That in order to enable the said Commissioners for administering the Laws for Relief of the Poor in *Ireland* to purchase and hire such Lands, Tenements, and Hereditaments as they are by Law authorized to purchase and hire for the Purpose of providing Workhouses^a in Unions, the Lands Clauses Consolidation Act, 1845^b, shall be incorporated with the said recited Act of the Second Year of the Reign of Her present Majesty, and the Acts amending the same; and this Act; provided always, that all Things by the said first-mentioned Act^b required or authorized to be done by the Promoters of the Undertaking may be done by any Two of the said Commissioners under their Hand and Seal.

Lands Clauses Consolidation Act incorporated with Irish Poor Relief Acts, for providing lands for Workhouses.

1 & 2 Vic.
c. 56, &c.

QUALIFICATION, &c., OF GUARDIANS.

6. And whereas by the said recited Act, the said Commissioners were empowered to fix the Value of the Qualification of Persons

Qualification of Elective Guardians may be different in

^a 1 & 2 Vic. c. 56, § 35 (p. 28), &c. See also 10 Vic. c. 31, § 20, 21 (p. 142-3), &c.; and 11 & 12 Vic. c. 25, § 1, 2 (p. 169-70).

^b 8 & 9 Vic. c. 18.

12 & 13 Vic.
c. 104,
IRISH POOR
LAW
FURTHER
AMENDMENT
ACT,
1849.

different
Electoral
Divisions.

Number of
Ex-officio
Guardians
may be com-
pleted from
Non-resident
Justices
in certain
cases.

eligible to serve as Guardians of the Poor^a, but were not empowered to fix a different Qualification in Value for different Electoral Divisions in the same Union: Be it enacted, That it shall be lawful for the said Commissioners, in fixing the Qualification of Guardians as aforesaid, to fix a different Value, if they shall see fit, for different Electoral Divisions of the same Union, anything in the said recited Act to the contrary notwithstanding.

7. And be it enacted, That from and after the passing of this Act, in any Union in which the Number of qualified Justices shall on the Twenty-ninth day of *September* in any Year not be equal to the Number of elected Guardians^b, every Justice of the Peace acting for any County in *Ireland*, and otherwise qualified^c under the Laws now in force to be an *ex-officio* Guardian of any Union within such County, and who shall be seised, possessed, or entitled for his own Use and Benefit, of or to any Lands, Tenements, or Hereditaments situate within such Union, or in the Rents and Profits thereof for any Life or Lives in being, or for any Term of Twenty-one Years at the least, such Estate being of the yearly Value of Fifty Pounds at the least, shall, for the Year next following such Twenty-ninth Day of *September* as aforesaid, be an *ex-officio* Guardian of such Union, notwithstanding that such Justice shall not be resident within the same: Provided that when the Number of Justices so qualified as is hereinbefore provided shall make the entire Number of qualified Justices exceed the Number of elected Guardians, such only of the highest rated

^a 1 & 2 Vic. c. 56, § 19 (p. 14).

^b For number of Elective Guardians in each Union, see Table (in Part V.)

^c See as to Qualification of Ex-officio Guardians, § 23 of 1 & 2 Vic. c. 56 (p. 16); and § 16 of 10 Vic. c. 31 (p. 128).

Justices, so qualified as aforesaid, shall be entitled to act as *ex-officio* Guardians for such Year as aforesaid as shall make the whole Number of *ex-officio* Guardians equal to the Number of elected Guardians: Provided also, that any Justice becoming qualified to act as an *ex-officio* Guardian after the Twenty-ninth Day of *September* in any Year, shall not be entitled so to act until the Twenty-ninth Day of *September* following, if by his so acting the Number of *ex-officio* be made to exceed the Number of elected Guardians in the Union; but otherwise he shall be at once entitled so to act.

12 & 13 Vic.
c. 104,
IRISH POOR
LAW
FURTHER
AMENDMENT
ACT,
1849.

8. And be it enacted, That it shall be lawful for the Poor Law Commissioners, as and when they shall see fit, by Order under their Seal, to combine Two or more Electoral Divisions of a Union into One District, for the Purpose of electing One Guardian for such District, anything in the said recited Act passed in the Second Year of the Reign of Her present Majesty to the contrary notwithstanding; and all the Provisions of the said Act, and of the said Acts amending the same, which relate to the Election of Guardians^a, shall apply to the Election of a Guardian for such District of Electoral Divisions, in the same Manner as if such District were a single Electoral Division formed under the Provisions of the said recited Act for the Election of a Guardian or Guardians: Provided always, that no such District shall be formed for the Election of more than One Guardian.

Electoral Divisions may be combined for the purpose of electing a Guardian.

ASSISTANT GUARDIANS.

9. And be it enacted, That it shall and may be lawful for the Poor Law Commis-

Assistant Guardians may be

^a 1 & 2 Vic. c. 56, § 18-21, and § 80-88: 2 Vic. c. 1, § 5: and 6 & 7 Vic. c. 92, § 20-26: and see notes on the various sections referred to. General Order for regulating Elections of Guardians, (Part II. 1,) article 42.

12 & 13 VIC.
c. 104,
IRISH POOR
LAW
FURTHER
AMENDMENT
ACT,
1849.

appointed by
the Commis-
sioners on
application
of Boards of
Guardians:

and may be
removed or
disconti-
nued.

sioners, if they shall think fit, upon the Request of the Board of Guardians of any Union, to appoint One fitting and proper Person to act as Assistant Guardian for the Union so applying, in the Execution of the Duty of Guardian for the Union to which he may be appointed, in the same Manner in all respects as if such Assistant Guardian were an *ex-officio* or elected Guardian for such Union; and the Poor Law Commissioners shall be authorized to remove such Assistant Guardian, and to appoint another from Time to Time, and, if they shall think fit, to discontinue such Appointment altogether, whensoever they may consider it to be expedient to do so.

RATING.

Rents
arising out
of exempted
property to
be rated to
the extent
of half the
poundage.

10. And whereas Doubts have arisen whether under the Provisions of the said recited Act^a, Persons in the Receipt of Rent in respect of Hereditaments used for charitable or public Purposes are rateable in respect of the Profits derived from such Hereditaments; Be it enacted, That in every Rate which shall be made for the Relief of the Poor after the passing of this Act, every Person receiving Rent in respect of any Hereditament exempt from rating^a under the Provisions of the said recited Act, shall be liable to be rated in respect of such Rent to the Extent of One Half the Poundage of every Rate which shall be made in or for the Electoral Division in which such Hereditaments shall be situate^b; and the Amount thereof shall be recoverable from such Persons by any of the Means by which the Rates in respect of Tenements rated under the Yearly Value of Four Pounds may be recovered directly from the Lessors

^a See provisos in § 63 of 1 & 2 Vic. c. 56 (p 48-9).

^b See General Order of the Commissioners dated 9th September, 1850, and forms of Rate-Books prescribed thereby (Part II. 6).

thereof under the Provisions of an Act passed in the Seventh Year of the Reign of Her Majesty, intituled *An Act for the further Amendment of an Act for the more effectual Relief of the destitute Poor in Ireland*, as amended by this Act^a.

12 & 13 VIC.
c. 104,
IRISH POOR
LAW
FURTHER
AMENDMENT
ACT,
1849.

11. And whereas by the said recited Act it is provided^b, “that where the Person occupying any Property rated to the Relief of the Poor shall be liable to pay a Rent in respect of the same, he may deduct from such Rent, for each Pound of the Rent which he shall be so liable to pay, One Half of the Sum which he shall have paid as Rate in respect of each Pound of the net annual Value (whether such Rent shall be greater or less than such annual Value), and so in Proportion for any less Sum than a Pound;” and it is expedient to amend the said Provision: Be it enacted, That in making a Deduction from such Rent on account of any Rate which shall be made after the passing of this Act, it shall not be lawful for any Occupier of Property rated in or paying such Rate to deduct from the Rent payable in respect thereof a larger Sum than One Half the Amount of the Rate which he shall have paid in respect of such Property, anything in the said Act to the contrary notwithstanding.

Occupier
not to deduct
from Rent
more than
one half the
amount of
the Rate
paid.

12. And be it enacted, That so much of an Act passed in the Second Year of Her present Majesty’s Reign, intituled *An Act for the more effectual Relief of the destitute Poor in Ireland*, as enacts “that any Covenant or Agreement whereby any Person liable to pay Rent, and entitled under the Provisions of this Act to deduct therefrom any Rate or

Repeal of
provision in
1 & 2 Vic.
c. 56, as to
agreements
to forego de-
ductions of
Rate from
Rent.

^a 6 & 7 Vic. c. 92, § 2, 3 (p. 106-9): present act, § 15, 19, 22, 23 (p. 195-200), § 29, 30 (p. 205-6).

^b 1 & 2 Vic. c. 56, § 74 (p. 57).

12 & 13 Vic. c. 104,
IRISH POOR
LAW
FURTHER
AMENDMENT
ACT,
1849.

“Portion of Rate, shall have covenanted or agreed, or shall hereafter covenant or agree, to forego such Deduction, shall, so far as such Rate is concerned, be of no effect^a,” be repealed, except as to any Covenant or Agreement entered into or made before the passing of this Act.

VALUATIONS.

Valuation
for Poor
Rates need
not be signed
and sealed
by the Com-
missioners
unless they
see fit.

13. And whereas Doubts have arisen, under the Provisions of an Act passed in the Seventh Year of the Reign of Her present Majesty, intituled *An Act for the further Amendment of an Act for the more effectual Relief of the destitute Poor in Ireland*^b, whether a Rate for the Relief of the Poor can legally be made in pursuance of a Valuation not signed and sealed by the Commissioners for administering the Laws for Relief of the Poor in *Ireland*; and it is expedient to remove such Doubts: Be it declared and enacted, That it is not and shall not be necessary for the said Commissioners to sign and seal any Valuation whatever, unless they shall see fit so to do; and any Valuation duly made and revised in pursuance of the Acts hereinbefore recited^c, whether it be signed and sealed by the said Commissioners or not, shall be deemed to be the Valuation in force for the Time being, anything in the said last-recited Act to the contrary notwithstanding.

Valuation of
Land not to

14. And whereas it is expedient to en-

^a § 77 of 1 & 2 Vic. c. 56 (p. 59), hereby repealed. The present section does not apply to a similar clause at the end of § 3 of 6 & 7 Vic. c. 92, which remains in force in the case of an Occupier paying rate in default of the rated-Lessor (p. 109).

^b 6 & 7 Vic. c. 92, § 7 (p. 112).

^c Provisions as to making and revising of Valuations, in 1 & 2 Vic. c. 56, § 66 (p. 50): 6 & 7 Vic. c. 92, § 7 (p. 112).—Provision has since been made by 15 & 16 Vic. c. 63, for a general Tenement Valuation under the directions of the General Valuation Commissioner: (see Valuation Acts, and introductory note thereon, in Part I. 3).

courage the Employment of Labour in improving the Value of Landed Property in *Ireland*: Be it enacted, That from and after the passing of this Act, in any Valuation or Revision of Valuation of rateable Property, it shall not be lawful for any Board of Guardians, Valuator, or Revisor of Valuation, or for any Court of Quarter Sessions to which Appeal in such Behalf may be made, to increase or to direct any Increase to be made in the Valuation of the net annual Value of any Land rateable to the Relief of the Poor, by reason of any Increase of the Value thereof arising from any Drainage, Reclamation, or Embankment from the Sea or any Lake or River, or any Erection of Farm Buildings, or any permanent agricultural Improvement, as specified under the Provisions of an Act passed in the Session of Parliament held in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled *An Act to facilitate the Improvement of Landed Property in Ireland*^a, made or executed thereon within Seven Years next before the making of such Valuation or Revision.

12 & 13 Vic.
c. 104,
IRISH POOR
LAW
FURTHER
AMENDMENT
ACT,
1849.

be increased
in conse-
quence of
Improve-
ments made
under the
Land Im-
provement
Act, within
seven years
after such
improve-
ments.

RECOVERY OF RATES.

15. And be it enacted, That when any Action or Suit shall be brought by the Guardians of the Poor of any Union, for Poor Rates, in any of the Superior Courts of Law in *Dublin*^b, such Action or Suit shall be an Action of Assumpsit or Debt; and it shall be a sufficient Statement of the Cause of Action in the Declaration to declare for the Amount of such Poor Rate as due by the Defendant to the Plaintiffs, according to the Form, as near as may be, of the usual common Indebi-

Short Form
of Declara-
tion in
Actions for
Poor Rates:

^a 10 & 11 Vic. c. 32.

^b 6 & 7 Vic. c. 92, § 2 (p. 106).

12 & 13 Vic.
c. 104,
IRISH POOR
LAW
FURTHER
AMENDMENT
ACT,
1849.

Limitation
of Costs.

tatus Counts in Assumpsit, or the common Counts in an Action of Debt, or as near as may be to the like Effect, without further setting forth the Cause of Action; and if the Declaration in any such Action or Suit shall exceed the Length necessary for declaring in such Manner or Form as aforesaid, no Costs of the Excess shall be allowed to the Plaintiffs if they succeed in the Cause, and such Costs of the Excess as have been incurred by the Defendant or Defendants shall be taxed and allowed to the Defendant or Defendants, and be deducted from the Costs allowed to the Plaintiffs.

Judges may
make Rules
and Orders
relating to
proceedings
in Actions
for Poor
Rates.

16. And be it enacted, That it shall be lawful for the Judges of the Courts of Queen's Bench, Common Pleas, and Exchequer in *Ireland*, jointly, or any Nine or more of them, including the Chief of each such Court, to make General Rules and Orders for regulating the Practice and Proceedings of all the said Courts relating to the Pleadings and Costs in such Actions and Suits for Poor Rate as aforesaid, which said Rules and Orders so made shall be observed in all the said Courts: Provided always, that until the making of any such Rules or Orders, or so far as the same may not extend, the Declaration in any such Action for Poor Rates may be framed in Manner hereinbefore provided^a, or to the like Effect.

17. And whereas it is expedient to make a further and more secure Provision for the Recovery of Poor Rates in *Ireland*: Be it therefore enacted, That all Civil Bill Decrees

Civil Bill
Decree for
Poor Rates
may be filed
as Judgment
of Superior

^a § 15. The General Orders of the Judges for regulating the practice in the Courts of Queen's Bench, Common Pleas, and Exchequer, "in pursuance of the act of 1853, 16 & 17 Vic. c. 113, 'an Act to amend the Procedure in the Superior Courts of Common Law in Ireland,' and of all other statutes and powers in that behalf," are dated 11th January, 1854. No special rules for procedure in cases relating to poor rate appear to have been promulgated or made, separately from the above.

for the Recovery of Poor Rate, pronounced or made by any Assistant Barrister in *Ireland*, or by the Chairman of the Sessions of the Peace of the County of *Dublin*, or by the Recorder of the City of *Dublin*, shall, from and after the passing of this Act, be removable into any of Her Majesty's Superior Courts of Law in *Dublin*, without any Writ of Certiorari or other Writ or Process for that Purpose; and that upon the Production of such Civil Bill Decree to the Master of any such Superior Court of Law, and upon Production of an Affidavit made by an Attorney of such Superior Court, verifying the Signature of such Assistant Barrister, Chairman, or Recorder, to such Civil Bill Decree, and upon Payment of a Fee of Two Shillings to such Master, he shall receive and file the said Decree upon a File to be kept for that Purpose, and shall enter the same in a Book to be kept for that Purpose, which shall be open to Inspection: and that immediately upon the filing of such Decree as aforesaid, such Decree shall, with respect to all Lands of the Person against whom such Judgment or Civil Bill Decree shall have been obtained, situate within the Union where such Poor Rate shall have accrued, be deemed a Record of such Superior Court, and shall be of the same Force and Effect as a Judgment recovered in such Superior Court; and Execution and all other Proceedings shall and may be had and taken thereupon, or by reason or in consequence thereof, as if such Decree had been originally a Judgment of such Superior Court; and such Decree may be registered in the Office of the Registrar of Judgments in like Manner as a Judgment of any such Superior Court.

12 & 13 VIC.
c. 104,
IRISH POOR
LAW
FURTHER
AMENDMENT
ACT,
1849.

Court, and
have force
as such;

and to be
registered in
a book, open
to inspection.

18. And be it enacted, That every Judgment obtained in any Action or Suit in any

Judgments
for Poor
Rates and

12 & 13 Vic.
c. 104,
IRISH POOR
LAW
FURTHER
AMENDMENT
ACT,
1849.

Civil Bill
Decrees filed
as above, to
take Priority
as charges on
the lands,
but not be-
fore certain
charges
specified.

Limitation
of time for
Recovery
of Arrears of
Rates, to
two years, in
certain cases.

Superior Court of Law against any Person or Persons for Poor Rates, and every Civil Bill Decree for Poor Rates filed in a Superior Court as hereinbefore provided^a, shall, when the same shall have been registered in the Office of the Registrar of Judgments, be a Charge, and take Priority as a Charge, on all the Estate and Interest in any Lands of the Person against whom such Judgment or Civil Bill Decree shall have been obtained, situate within the Union wherein such Poor Rates shall have accrued, before all Charges and Incumbrances whatsoever, and wheresover made, save and except Crown Rents and Quit Rents, Rent-charges in lieu of Tithes, and all Charges (if any) existing under and by virtue of an Act passed in the Sixth Year of the Reign of Her present Majesty^b, intituled *An Act to promote the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in Ireland*, and Two other Acts since passed amending the same^b, and all Charges (if any) existing under and by virtue of an Act passed in the Eleventh Year of the Reign of Her present Majesty, intituled *An Act to facilitate the Improvement of Landed Property in Ireland*^c.

19. And be it enacted, That when any Rate for the Relief of the Poor shall be made after the passing of this Act, it shall not be lawful to commence any Proceeding for the Recovery of any Arrear thereof against any Person not primarily liable to pay the same^d, unless within the Period of Two Years next after the making and publishing of the said Rate.

^a § 17.

^b 5 & 6 Vic. c. 89; 8 & 9 Vic. c. 69; and 9 & 10 Vic. c. 4: provisions of the latter continued and amended by 10 & 11 Vic. c. 79.

^c 10 & 11 Vic. c. 32.

^d § 71, 78 of 1 & 2 Vic. c. 56 (p. 54, 59): § 3, 4 of 6 & 7 Vic. c. 92 (p. 109, 110).

AUDIT: RETURNS OF DISALLOWANCES, &c.

12 & 13 Vic.
c. 104,
IRISH POOR
LAW
FURTHER
AMENDMENT
ACT,
1849.

20. And for the Purpose of giving better Effect to the Audit of the Accounts of the several Guardians of the Poor throughout *Ireland*, be it enacted, That to the annual Reports required to be laid before Parliament^a, there shall be appended a Statement of the Date up to which the several Accounts of the Unions shall have been closed and audited, together with a Statement of all such Charges and Payments disallowed, struck out, reduced, or inserted by such Auditor, and of the Steps taken at Law for the Recovery of the same, or the Enforcement of any Disallowance, Surcharge, or other Demand founded on the Auditor's Report, from any Guardian, Treasurer, or other Person having the Control of the Poor Rate, or any Part thereof, or being accountable for any Balances or any Sums applicable for the Relief of the Poor; and the Amount of such Disallowances, Surcharges, or Balances which have been recovered and paid into the Hands of the Treasurer of the Union.

Audit:
Annual Re-
turn to be
made of Dis-
allowances,
&c.

RATE-BOOKS: INSPECTION, &c.

21. And be it enacted, That the Guardians of the Poor of the several Unions shall, before the making of every Rate, leave the Rate Books open for the Inspection of any Rate-payer^b, between the Hours of Ten in the Forenoon and Four in the Afternoon, during Fourteen Days at the least before the making of every such Rate; and that such Guardians shall give the same public Notice of the Deposit of such Rate Books for Inspection, as they are now required to give in relation to the making of

Before Rate
made, Rate-
Books to be
open for
Inspection:

Notice to be
given of time
for Inspec-
tion.

^a Under 10 & 11 Vic. c. 90, § 21 (p. 166): and see § 29 of 10 Vic. c. 31 (p. 150).

^b Under § 9 of 6 & 7 Vic. c. 92 (p. 116), the Valuation on which the rate is founded is also to be open to inspection when the rate "shall have been made."

12 & 13 Vic.
c. 104.

Name of
Occupier, to
be inserted
in Rate-Book
where Lessor
is rated.

In Appeal
against
Rates,
Agent duly
appointed by
Appellant
may sign
Notices, &c.

Recogni-
zances to try
Appeals:
Repeal of
provisions
in 1 & 2 Vic.
c. 56.

such Rates^a: and that in all cases, the Names of Occupiers for whom the Immediate Lessor is primarily liable for the payment of Rate shall be inserted in the Rate Book^b.

APPEAL AGAINST RATES.

22. And be it enacted, That for the Purpose of giving due Facility of Appeal against the said Rates, it shall and may be lawful for the known Agent of any Appellant, appointed in like Manner as a Proxy is appointed for voting in the Election of Guardians^c, to sign the Notices and enter into the Recognizances required by Law in Cases of Appeal^d: which Notices and Recognizances, so signed as aforesaid, shall be in all respects as good and effectual in Law as if signed by the Appellant in Person.

23. And whereas by the said recited Act passed in the Second Year of the Reign of Her present Majesty it is, amongst other things, enacted^e, “That within Five Days after Notice “given of an Appeal to the Quarter Sessions “the Person or Persons appealing shall enter “into a Recognizance before some Justice of “the Peace, with sufficient Securities, condi- “tioned to try such Appeal at the then next “Sessions of the Peace to be held in the Pre- “sence of the Assistant Barrister, and to abide “the Order of and pay such Costs as shall be “awarded by the Justices and Assistant Bar- “rister at such Sessions”: And whereas it is expedient to repeal the said Provision, and to

^a Under § 70 of 1 & 2 Vic. c. 56 (p. 53), which requires notice to be given also after the making of a Rate, after which the rate-book is to remain open for inspection. For Form of Notice to be given under the present clause *before* the making of the Rate, and mode of publication thereof, as well as the Notice *after* the making of the Rate, see General Order of 12th January, 1853 (in Part II. 6).

^b See Commissioners' General Order of 9th September, 1850, and Forms of Rate-Books prescribed thereby (Part II. 6).

^c § 84 of 1 & 2 Vic. c. 56 (p. 65).

^d Provisions as to Appeals, in 1 & 2 Vic. c. 56, § 106 (p. 83) *et seq.* 2 Vic. c. 1, § 9 (p. 102): 6 & 7 Vic. c. 92, § 7, 8 (p. 114): and see § 23 of the present act.

^e 1 & 2 Vic. c. 56, § 111 (p. 86), hereby repealed.

substitute another Provision in lieu thereof: 12 & 13 Vic.
c. 104,
IRISH POOR
LAW
FURTHER
AMENDMENT
ACT,
1849.
Be it therefore enacted, That within Five Days after Notice given of any such Appeal as in the said recited Act or any Act amending the same provided^a, the Person or Persons appealing shall enter into a Recognizance^b before some Justice of the Peace with sufficient Securities, conditioned to try such Appeal at the Sessions of the Peace to which such Person or Persons shall have so appealed, and to abide the Order of and to pay such Costs as shall be awarded by the Court at such Sessions. Recognizances to be entered into before Appeal.

PUBLICATION OF NUMBERS AND NAMES OF
PERSONS RELIEVED.

24. And be it enacted, That the Board of Guardians of each Union shall cause the Names of all Persons relieved out of the Poor Rates to be duly entered in Books, to be kept, One for the Union at large, and One for each Electoral Division, and under the Heads of the Townlands in which they are stated to have last resided^c; and such Books shall be open to the Inspection of all Persons assessed to the Poor Rate within the Union from Ten o'clock in the Forenoon until Four o'clock in the Afternoon on One Day at least in each Week. Names of Persons relieved to be entered in Books, open to Inspection.

25. And be it enacted, That on each *Saturday*, the Board of Guardians of every Union shall cause a Statement to be prepared and posted on the Door of the Poorhouse, showing the Number of Persons who shall have received Relief in such Union during the Seven Days then next preceding, and further showing the Number of Persons chargeable Weekly Statements of Numbers relieved, and chargeable to Union and Divisions thereof, respectively, to be posted on Work-house door.

^a Provisions as to Appeals, in 1 & 2 Vic. c. 56, § 106 (p. 83) *et seq.*; 2 Vic. c. 1, § 9 (p. 102); 6 & 7 Vic. c. 92, § 7, 8 (p. 114).

^b See § 22 (p. 200).

^c For Forms of Books to be kept under this section, and instructions thereon, in Circulars of 24 August and 14 September, 1849, see Part II. 4.

12 & 13 VIC.
c. 104,
IRISH POOR
LAW
FURTHER
AMENDMENT
ACT,
1849.

Further pro-
vision for
Emigration.

Rates may
be applied to
Emigration,
or Loans
raised for the
purpose.

Vice-Guar-
dians not to
proceed
under this
section with-
out consent of
Rate-payers.

against the Union at large and against each separate Electoral Division^a.

EMIGRATION.

26. And be it enacted. That, for the Purposes of defraying or assisting to defray the Expenses of the Emigration of poor Persons resident within any Union or Electoral Division, it shall be lawful for the Guardians of such Union, with the Consent of the Commissioners, to be testified under their Seal, or for the Persons for the Time being appointed or authorized to act as Guardians of such Union, with such Consent and so testified as aforesaid, to apply any Moneys in their Hands arising from any Rate or Rates on any Electoral Division or Divisions in defraying or assisting to defray the Expenses of the Emigration of poor Persons resident therein respectively, or to borrow and obtain from Time to Time any Sums or Sum of Money from any Person or Persons willing to advance the same, or from the Exchequer Bill Loan Commissioners^b, upon the Security of the Rates of such Union, or of any Electoral Division or Divisions thereof, on the Terms and subject to the Provisions hereinafter mentioned: Provided always, that no such Sums or Sum of Money shall be advanced by the said Exchequer Bill Loan Commissioners^b unless with the Consent of the Commissioners of Her Majesty's Treasury: Provided also, that it shall not be lawful for any paid Officers appointed to act as Guardians by the said Commissioners^c to exercise the said Power of applying or borrowing Money for the Purpose of Emigration without the Consent of a Majority in Value of the

^a For Form of weekly statement under this section, and Instructions thereon in Circulars of 24 Aug. and 14 Sept. 1849, see Part II. 4.

^b Public Works Loan Commissioners: see note ^a in p. 69.

^c Under § 26 of 1 & 2 Vic. c. 56 (p. 20), and § 18 of 10 Vic. c. 31 (p. 140).

Rate-payers of the Electoral Division or Divisions to be charged therewith, assembled in the Manner provided by the said recited Act of the Second Year of the Reign of Her present Majesty^a for the Purpose of agreeing to and signing an Application to the said Commissioners for the raising of a Rate to assist Emigration.

12 & 13 VIC.
c. 104,
IRISH POOR
LAW
FURTHER
AMENDMENT
ACT,
1849.

27. And be it enacted, That the Repayment of all and every such Sums and Sum of Money so borrowed shall be from Time to Time secured by a Charge on the said Rates respectively, by a Debenture, made out in such Form as the Poor Law Commissioners shall direct, under the Seal of such Guardians or Persons, as the Case shall require, which shall carry Interest after such Rate or Rates as in every such Charge shall be specified: and that every Person having any Right or Interest to, in, or under any such Charge (save only and except the said Exchequer Bill Loan Commissioners^b) may from Time to Time, by Endorsement thereon or otherwise, assign his or her said Right or Interest therein to any other Person or Persons, upon first giving Notice in Writing of such Assignment to the Guardians or Persons appointed or authorized to act as Guardians of the said Union; and that thereupon such Assignee or Assignees, and his or their Representatives or Assigns, shall be entitled to stand in the Place of the Person assigning the same, and in respect of such Right or Interest: Provided always, that the Sums or Sum of Money so to be borrowed and charged upon any Electoral Division or Divisions as aforesaid, and remaining outstanding and unpaid in respect of the Emigration of poor Persons resident or relievable within

Security for
Repayment
of Money
borrowed for
Emigration:

Limitation of
Amount to
be borrowed.

^a § 51 of 1 & 2 Vic c. 56 (p. 40).

^b See note ^a in p. 69.

12 & 13 Vic.
c. 104,
IRISH POOR
LAW
FURTHER
AMENDMENT
ACT,
1849.

Mode of re-
payment.

any such Electoral Division or Electoral Divisions respectively, shall never exceed in the whole the Amount or Proportion of Eleven Shillings and Eight-pence in the Pound of the clear yearly Value of the rateable Property situate or arising within the Electoral Division or respective Divisions the Rates whereof shall have been so charged with the Repayment thereof; and that any Sum or Sums of Money so borrowed and charged upon the Union at large as aforesaid, and remaining outstanding and unpaid in respect of the Emigration of poor Persons resident in and relievable by the Union at large, shall never exceed in the whole the Amount or Proportion of Two Shillings and Four-pence in the Pound of the clear yearly Value of the rateable Property situate or arising within such Union: and the Sums or Sum of Money so to be borrowed shall be repaid by annual Instalments, each Instalment being not less than One Seventh Part of such Sums or Sum respectively, and the first of such Instalments to be so repaid at or before the End of One Twelvemonth next after the Day whereon such Sums or Sum shall have been first advanced; and that for the Purposes aforesaid it shall be lawful for the Guardians or Persons appointed or authorized to act as Guardians of such Union to provide for the Repayment of such annual Instalments out of the Rate or Rates levied in the said Union under the Authority of the Acts for the Relief of the Poor in *Ireland*.

Application
of Money
borrowed for
Emigration.

28. And be it enacted, That all and every the Sums and Sum of Money so to be borrowed and charged as aforesaid shall be from Time to Time applied, under the Direction of the said Commissioners, by the Guardians or Persons appointed or authorized to act as Guardians of the Union borrowing the

same, in defraying or assisting to defray the Expenses connected with the Emigration of poor Persons resident or relievable within the respective Electoral Divisions or Division on the Rates whereof the same respectively shall have been so charged, or resident in and relievable by the Union at large on the Rates whereof any such Charge on the Union at large shall have been so charged, to any of the Colonies or Possessions of this Realm, or to any Foreign State; and that it shall not be lawful for any Person acting in the Execution of this Act to apply or expend any such Sums or Sum, or any Part thereof, in any other Manner or for any other Purpose whatsoever.

12 & 13 Vic.
c. 104,
IRISH POOR
LAW
FURTHER
AMENDMENT
ACT,
1849.

Emigration
to British
Colonies, &c.,
or to Foreign
States.

INFORMALITIES, &C., IN LEGAL PROCESSES RESPECTING RATES.

29. And be it enacted, That for the Purpose of facilitating and rendering more effectual all legal Proceedings of Quarter Sessions or before any Assistant Barrister in *Ireland*, or before the Chairman of the Sessions of the Peace of the County of *Dublin*, or before the Recorder of the City of *Dublin*, in anywise relating to the Collection or Recovery of Poor's Rate, or relating to Appeals or other Proceedings respecting rating, it shall and may be lawful for such Assistant Barrister, Chairman, or Recorder, if he shall so think fit, to correct or amend any Variance, clerical Error, or Irregularity, not affecting the substantial Merits of the Question to be tried, and which may be found in the Notices, Recognizances, Processes, Decrees, or other Forms or Instruments of a like Kind brought before him in relation to this Act or the Acts hereinbefore recited.

In proceed-
ings at Quar-
ter Sessions,
Assistant
Barrister,
&c., may
correct
clerical
Errors or
Irregularity
of Processes.

RECOVERY OF RATES FROM IMMEDIATE LESSORS.

30. And be it enacted, That in any Case

Proceedings
for recovery

12 & 13 VIC.
c. 104,
IRISH POOR
LAW
FURTHER
AMENDMENT
ACT,
1849.

of Rates from
Immediate
Lessors by
Civil Bill.

Service of
Process.

Acts to be
construed
together.

Act may be
amended,
&c.

in which it may be necessary to institute Proceedings by Civil Bill before any Assistant Barrister in *Ireland*, or before the Chairman of the Sessions of the Peace of the County of *Dublin*, or before the Recorder of the City of *Dublin*, against any Immediate Lessor primarily liable to the Payment of Rates for Premises the Occupier of which is exempted from such Payment, it shall be lawful for the Guardians of the Poor to institute such Proceedings before the Assistant Barrister for the County wherein the rated Premises are situated, and in the Division thereof wherein the same are situate; and in case the said rated Premises are situated within the County of *Dublin*, or within the City of *Dublin*, then before the Chairman of the Sessions of the Peace of the County of *Dublin*, or the Recorder of the City of *Dublin* (as the Case may be): first giving to such Immediate Lessor, or to his known Agent or Receiver of his Rents, Fourteen Days' Notice of the Proceeding about to be taken against him as aforesaid, by Service of Process; and the Service of Process in such Civil Bill on such Immediate Lessor, his known Agent or Receiver, at any Place out of such Division and County, or at any Place out of the said County of *Dublin* or City of *Dublin*, shall be as effectual as a Service of the same upon such Lessor within such Division or within the said County of *Dublin* or City of *Dublin*^a.

31. And be it enacted, That the said recited Act of the Second Year of Her Majesty's Reign, and the Acts amending the same, and this Act, shall be construed as One Act.

32. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

^a See subsequent provisions in Civil Bills Act of 1851, 14 & 15 Vic. c. 57, as to process and service thereof in Civil Bill cases (Part I. 3).

MEDICAL CHARITIES ACT,—1851.

14 & 15 VIC. CAP. 68.

14 & 15 VIC.
c. 68,
DISPEN-
SARIES ACT,
1851.

An Act to provide for the better Distribution, Support, and Management of Medical Charities in *Ireland*; and to amend an Act of the Eleventh Year of Her Majesty^a to provide for the Execution of the Laws for the Relief of the Poor in *Ireland*.

[7th August, 1851.]

WHEREAS it is expedient to provide for the better Distribution, Support, and Management of certain of the Medical Charities in *Ireland*, and to amend for this Purpose the Provisions of an Act passed in the Eleventh Year of Her present Majesty, intituled *An Act to provide for the Execution of the Laws for Relief of the Poor in Ireland*^a: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, that—

10 & 11 Vic.
c. 90.

COMMISSIONERS.

1. It shall and may be lawful for Her Majesty the Queen, by Warrant under Her Sign Manual from Time to Time to appoint Two Persons (One of whom shall be a Physician or Surgeon of not less than Ten Years' standing, and shall have the Title of Medical Commissioner,) who, together with the Commissioners appointed under the Provisions of the aforesaid Act of the Eleventh

Appoint-
ment of Com-
missioners:Medical Com-
missioner.^a 10 & 11 Vic. c. 90 (p. 156).

14 & 15 VIC.
c. 68,
DISPEN-
SARIES ACT,
1851.

Office of
Assistant
Commis-
sioner
abolished:

Delegation
of powers of
Chief Com-
missioner in
his absence.

Notification
of Appoint-
ment of Com-
missioners in
Gazette.

Year of Her Majesty^a, shall, from the Time of the Publication hereinafter^b directed to be made in the *Dublin Gazette*, be “the Commissioners for administering the Laws for Relief of the Poor in *Ireland*,” within the Meaning of the aforesaid Act, pursuant to, and with the Powers and Authorities given by, the said Act and the several Acts for the more effectual Relief of the destitute Poor, and also for executing this Act: and such Two Persons so appointed under this Act shall hold Office during the Pleasure of Her said Majesty: and immediately on the Publication aforesaid, the Office of Assistant Commissioner created by the said first-mentioned Act^c shall cease and determine; and in the Absence of the Chief Commissioner for the Time being, in the said Act mentioned, the Powers, Duties, and Functions of the said Chief Commissioner under the said Act shall be exercised by such One of the other Commissioners as shall be appointed so to act by a Majority of the Commissioners, with the Approval of the Lord Lieutenant of *Ireland*^d.

2. Notice of the Appointment of such Two Persons by Her Majesty^e shall be published in the *Dublin Gazette*; and on the Day after the Publication of the first Appointment of such Persons, all the Powers and Authorities^f given

^a i.e., the Chief Commissioner, and the Chief and Under Secretaries for Ireland for the time being, under 10 & 11 Vic. c. 90, § 1 (p. 157), and two Commissioners under the present act, one of the latter being the Medical Commissioner. ^b § 2.

^c 10 & 11 Vic. c. 90, § 6 (p. 159).

^d Under 10 & 11 Vic. c. 90, above referred to, § 23, (p. 167), the duration of the Commission was temporary, and its term under that act having expired, the Commission, as modified by the present act, has been renewed and continued by the acts of 1852 and 1854, 15 & 16 Vic. c. 37 and 17 & 18 Vic. c. 63 (p. 225, 227).

^e § 1 (p. 207).

^f The first appointment of the two additional Commissioners under this act was published in the *Dublin Gazette* of the 11th of November, 1851. Those provisions of this act which are here referred to, consequently took effect on the 12th of November, 1851.

by this Act to the said Commissioners for administering the Laws for Relief of the Poor in *Ireland* shall take effect, and shall be exercised by them in like Manner as the Powers and Authorities given to the Commissioners appointed under the said Act of the Eleventh Year of Her present Majesty^a: Provided always, that any Order for the Formation or Alteration of any Dispensary District or Districts under this Act, as hereinafter mentioned^b, or for framing or establishing any General Rules or Regulations^c relating thereto, or altering or revoking the same, shall be signed by not less than Two of the said Commissioners.

14 & 15 Vic.
c. 68,
DISPEN-
SARIES ACT,
1851.

Powers given
by this Act,
how to be
exercised.

MEDICAL INSPECTORS, &c.

3. The said Commissioners may from Time to Time appoint so many fit Persons as the Commissioners of Her Majesty's Treasury shall sanction, being practising Physicians or Surgeons of not less than Seven Years' Standing, to be Inspectors to assist in carrying out the Provisions of this Act; and may remove all or any of the said Inspectors, and appoint others in their Place.

Appoint-
ment of
Medical
Inspectors.

4. There shall be paid to the said Two Commissioners to be appointed under the Provisions of this Act, and also to the said Inspectors, such Salaries as shall be from Time to Time appointed by the Commissioners of Her Majesty's Treasury, out of any Moneys which may from Time to Time be provided by Parliament for that Purpose.

Salaries of
Commis-
sioners and
Medical
Inspectors.

5. Neither the Medical Commissioner nor any such Inspector as aforesaid shall, while he continues in such respective Office, practise as a Physician or Surgeon, or in any other professional Capacity.

Medical
Commis-
sioner and
Inspectors
not to prac-
tise profes-
sionally.

^a 10 & 11 Vic. c. 90, § 9 (p. 160), *et seq.*

^b § 6.

^c § 12 (p. 216).

14 & 15 Vic.

c. 68,

DISPEN-
SARIES ACT,
1851.

DISPENSARY DISTRICTS.

Guardians of
each Union
to divide
same into
Dispensary
Districts:Such Dis-
tricts to be
declared by
the Commis-
sioners, if
approved, or
other Dis-
tricts to be
formed by
them.Districts may
be altered
from time
to time.No Electoral
Division to be
divided.Expenses to
be charged
on the Dis-
trict accord-
ing to the

6. The Guardians of each Union in *Ireland* shall, when so required^a by the said Commissioners for administering the Laws for Relief of the Poor in *Ireland*, with all reasonable Despatch, divide such Union into so many Dispensary Districts, having regard to the Extent and Population of such Districts, as may to them appear necessary; and in case the said Commissioners shall approve of the Districts so formed by the said Guardians, they shall issue an Order under their Seal declaring the same; and in case they shall not approve of the Districts so formed by the said Guardians, the said Commissioners may and they are hereby empowered to issue an Order under their Seal declaring the Districts which to them may appear necessary: and it shall be lawful for the said Commissioners, and they are hereby empowered, when they may see Occasion, from Time to Time, to require the Guardians to alter such Districts, subject to the Approval, by Order under Seal, of the said Commissioners; and in case of their Disapproval, or of the Neglect of the Guardians to make such Alteration when required, the said Commissioners may alter such Districts by such an Order: Provided always, that in no Case shall an Electoral Division formed under the Acts for the more effectual Relief of the destitute Poor be divided: And from and after a Day or Days to be named in any such Order^b, the Cost of all Medical Relief afforded within any such

^a This requisition was addressed by the Commissioners to the Guardians of each Union in Ireland on the day on which their appointment under this act took effect, —namely, 12 November, 1851: (see § 2 and note ^a in p. 208). For the requisition so issued, dated 12 November, 1851, see Part II. 9.

^b See paragraph 5 of requisition to Guardians of 12th November, 1851, and art. 6 of Order declaring Dispensary Districts, in Part II. 9.

Dispensary District to which such Order shall relate, together with all the Salaries and Charges incidental to the same, shall be charged on the Poor Rates of the Electoral Division or Divisions comprised therein, according to the net annual Value of each such Division under the Poor Law Valuation in force for the Time being^a; and the said Commissioners shall declare in such Order, the Number and Qualifications of the Officers to be appointed for the Service of each such Dispensary District, and shall likewise declare in the said Order the Number of Persons who shall be Members of the Committee of Management of such Districts, as hereinafter^b is provided.

14 & 15 Vic.
c. 68,
DISPEN-
SARIES ACT,
1851.

Valuation of
the Divisions
therein.

Commis-
sioners to fix
number and
qualifications
of Officers,
&c.

DISPENSARY COMMITTEES.

7. Within One Month after the Receipt of the said Order^c, the Guardians of the Union shall elect, if necessary^d, a sufficient Number of Ratepayers resident in each District, and liable to pay Poor Rates in respect of Property therein of the net annual Value of Thirty Pounds at the least, who, together with the *ex-officio* and elected Guardians of the Poor resident or being the Owners or Occupiers of Property therein, shall be a Committee for the Management of the Dispensary of such District, so that the Number of the Members of the said Committee shall amount to the Number named in the Order^c of the said Commissioners; and shall from Time to Time fill up any Vacancies occurring after any General Election of such Committee;

Constitution
of Dispensary
Committee:

Qualifica-
tions of Mem-
bers.

Vacancies in
Committee.

^a And from the same date, as named in the Commissioners' Order declaring the Dispensary Districts, any previous provision for Dispensary Relief by means of Grand Jury Presentment or Poor Rate, ceases and is superseded by the provision for affording Medical Relief under the present act: see § 10 (p. 214). ^b § 7. ^c § 6.

^d "If necessary:" i.e., if the number fixed for the Committee in the Order under § 6, exceed the number of Guardians who are made members of the Committee by this section; in which case some additional ratepayers are to be elected by the Board of Guardians.

14 & 15 Vic.
c. 68,
DISPEN-
SARIES ACT,
1851.

Term of
Office of
Committee.
Annual Ap-
pointment of
Dispensary
Committees.

Guardians
to provide
Dispensary
for each
District,

and Medi-
cines, &c.

Dispensary
Committee
to appoint
Medical Offi-
cers, with
Salaries to be
determined
by the Guar-
dians:

Salaries and
Appoint-
ments sub-
ject to Com-
missioners'
Approval.

and the Committee so appointed shall hold Office until the Appointment of a new Committee after the next annual Election of Guardians in the said Union: and at the first Meeting of the Guardians after such annual Election, or as soon thereafter as conveniently may be, the Committee of Management for the said Dispensary District shall be appointed in like Manner for the ensuing Year; and so likewise in each succeeding Year.

DISPENSARY BUILDINGS, &c.: MEDICAL OFFICERS.

8. The Guardians of the Union shall, as soon after Receipt of the said Order^a as conveniently may be, provide a House, Building, Room or Rooms, to be used as a Dispensary or Office for the Medical Officer of each such District, and for the Meetings of the Committee of Management; and shall provide such Medicines and Medical^b Appliances as may be necessary for the Medical Relief of the Poor in the said District: and the Committee of Management shall appoint^c, from Time to Time, subject to the Approval of the said Commissioners, One or more^d Medical Officers for the said District, with such Qualifications as the said Commissioners shall determine^e, and with such Salaries as the Guardians, subject to the Approval of the said Commissioners, shall determine: and the said Commissioners may, and they are hereby empowered, when they may see Occasion,

^a Order declaring Dispensary Districts under § 6.

^b "Medical," including "Surgical;" see § 21 (p. 224).

^c But see § 14 (p. 218) as to the first appointment of Medical Officers after the formation of Dispensary Districts in each Union.

^d One or more, according to the number of Medical Officers fixed by the Commissioners' Order under § 6.

^e For qualifications of Medical Officers to be appointed by the Dispensary Committees, see Commissioners' Order declaring Dispensary Districts, article 5, and General Rules for the Government of Dispensary Districts, article 20 (in Part II. 9). In § 14, (p. 218,) is a dispensing clause as to qualification in the case of existing Medical Officers re-appointed under that section.

from Time to Time, to regulate the Amount of Salaries or Allowances payable to such Officers respectively, and the Time and Mode of Payment^a thereof: and it shall be lawful for the said Commissioners to remove any such Medical Officer on sufficient Grounds, and to direct the said Committee of Management to appoint another Medical Officer in his Stead; and on Failure of the said Committee to appoint a Medical Officer of such Dispensary District for One Month after the Receipt of the Direction of the said Commissioners, it shall be lawful for the said Commissioners to appoint such Medical Officer by an Order under their Seal.

14. & 15 Vic. c. 68.
—
Commissioners may regulate Salaries;
Commissioners may remove Officers so appointed;
Appointment of Successors.

MEDICAL RELIEF.

9. Every Member of such Dispensary Committee^b, and every Relieving Officer and Warden^c acting for an Electoral Division included in such Dispensary District, shall have Power to afford Medical^d Relief^e, by the Issue of a Ticket for Medicine and Advice, or a Ticket, in such Form as the said Commissioners shall prescribe^f, addressed to the Medical Officer of the District, directing him to afford Medicine and Advice to or attend any poor Person resident therein; and it shall be the Duty of the Medical Officer to afford Medicine and Advice, or to attend such poor Person, as thereby directed: Provided always, that if any Person who shall obtain a Ticket for Medical^d Attendance from any Relieving

Power to afford and order Medical Relief, by means of Tickets;
how to be issued.

Power to Committee to cancel tickets for Medical Attendance.

^a Regulations as to time and mode of payment of Medical Officers' Salaries, in General Rules for Dispensaries, articles 24, 25 (in Part II. 9).

^b § 7.

^c See § 50 of 1 & 2 Vic. c. 56 (p. 39), as to appointment of Wardens; and Circulars of 30 March, 1852, and 25 March, 1855, as to selection of Wardens and Members of Committees (in Part II. 9):

^d "Medical," including "Surgical;" see § 21 (p. 224).

^e "Relief:" see § 111 of Parliamentary Voters Act, 13 & 14 Vic. c. 69, and § 32 of Municipal Corporations Act, 3 & 4 Vic. c. 108, and notes thereon; in Part I. 3.

^f Forms of Tickets prescribed by the Commissioners for Medical Relief at the Dispensary or at the patient's Home, Forms E 1 and 2, and Regulations and Instructions thereon, in General Order of 16 December, 1853, and Circulars of 22 December, 1853, (in Part II. 9).

14 & 15 Vic.
c. 68,
DISPEN-
SARIES ACT,
1851.

Officer or Warden, or from any Member of the Committee, shall, at the next or any subsequent Meeting of the Committee after the Issue of the Ticket, be declared, by a Majority of the Members then present, not to be a fit Object for Dispensary Relief, the Ticket shall be cancelled, and the Holder thereof disentitled to further Relief.

Provision
previously
made for
Dispensary
Relief out of
County Cess
or Poor Rate,
to cease when
this act is
brought into
operation in
any District.

10. From and after the Day to be named as aforesaid^a in the Order of the said Commissioners declaring any Dispensary District, all Provision now made by Law for affording Dispensary Relief, from Poor Rate or by means of Presentment from the County Cess^b, shall, except for the Purpose of defraying Expenses incurred before such Date, cease as to the Baronies or Portions of Baronies or Places included in such Dispensary Districts: and all Funds and Property derived or arising for the Support of such Institutions^c

Requests to
existing
Institutions.

^a § 6.

^b Presentments from County Cess for affording Dispensary Relief were made under § 81 of the Grand Jury Act, 6 & 7 Wm. 4, c. 116, as amended by 7 Wm. 4, c. 2, § 5. Medical Relief out of the Workhouse was likewise provided in a few districts, at the cost of the Poor Rate, under § 5 of the Poor Law Extension Act, 10 Vic. c. 31 (p. 131), in pursuance of orders issued by the Poor Law Commissioners in that behalf under the latter act. 19 such orders were issued by the Commissioners, from 1st December, 1847, the date of the first order under § 5 of 10 Vic. c. 31, to 2nd June, 1851, the date of the last. These orders were issued to 16 Unions, and applied to 29 Districts therein, comprising 104 Electoral Divisions, for which 29 Medical Officers were authorized to be appointed for affording medical relief out of the workhouse at the cost of the poor rate. The respective forms of these orders, with the names of the Unions and Districts, or Electoral Divisions, to which they applied, and the date of each order, will be found in the Annual Reports of the Poor Law Commissioners for Ireland, for 1848, 1849, 1850, and 1851. All these orders are now superseded, as well as the late Dispensaries under the Grand Jury Act, by the present Dispensary arrangements under this act of 1851, and by the operation of the present section of it.

^c The antecedent of the expression "such Institutions," as here used, appears uncertain, and its application doubtful. This clause and the remainder of the section, as well as some other provisions in the act, would appear to have been retained from the Bill, which contained provisions (omitted in the statute) relating to Hospitals and other Institutions, as well as Dispensaries: see note ^a on § 16 (p. 221): and note ^a on § 19 (p. 224), &c.

14 & 15 VIC.
c. 68,
DISPEN-
SARIES ACT,
1851.

Proviso as
to County
Infirmaries,
&c. Parlia-
mentary
Grants for
Salaries, &c.,
to cease with
present
holders:

But Grants
for Dublin
Hospitals, not
affected by
this Act.

from Bequests, shall be applied to the Support thereof according to the Trusts on which such Bequests were granted: Provided always, that where, under the Provisions of an Act of the Parliament of *Ireland*, passed in the Fifth Year of His late Majesty King *George* the Third, intituled *An Act for erecting and establishing public Infirmaries and Hospitals in this Kingdom*^a, any Allowance or Stipend is now payable to any Officer of a County Infirmary or other Medical Institution, such respective Allowance or Stipend shall wholly cease to be payable to or to the Use of such Infirmary or Medical Institution under the Provisions of the said Act, when and as soon as the Person holding such Office at the Time of the passing of this Act shall wholly cease to hold the said Office in the said Infirmary or Medical Institution: Provided also, that nothing herein contained shall be construed to deprive of the Benefit of Aid from any Parliamentary Grant any Infirmary or Hospital in the City or County of *Dublin* now receiving such Aid, so long as such Aid shall continue to be granted by Parliament.

CONTRACTS AND SUPPLIES: PENALTY.

11. No Guardian or Member of the Committee of Management, paid Officer, or other Person concerned in the providing, ordering, Management, Control, or Direction of the Medical Relief of the Poor in any Dispensary District, shall, either in his own Name or in the Name of any other Person, provide, furnish, or supply, for his own Profit, any Medicines, Instruments, Furniture, or Goods, for the Use of any Dispensary in any District for

Guardians,
Committee-
men, War-
dens, and
Officers, not
to be con-
cerned in
contracts or
furnishing
supplies for
Dispensary:

^a 5 & 6 Geo. 3, c. 20 (I.), "An Act for erecting and establishing public Infirmaries or Hospitals in this Kingdom."

14 & 15 Vic.
c. 68,
DISPEN-
SARIES ACT,
1851.

Penalty 50*l.*
and Costs,
recoverable
by any per-
son.

which he shall act in any such Capacity as aforesaid, during the Time for which he shall retain such Office; nor shall during such Time be interested, directly or indirectly, in any Contract relating thereto; under Pain of forfeiting the Sum of Fifty Pounds, with the full Costs of Suit, to any Person who shall sue for the same by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Dublin*^a.

REGULATION OF DISPENSARIES, AND OFFICERS' DUTIES.

Commis-
sioners to
frame Regu-
lations for
Management
of Dispensa-
ries, Duties of
Officers, &c.

12. The said Commissioners shall and may, and they are hereby directed, with all reasonable Despatch after the first Appointment of Commissioners under the Provisions of this Act^b, to frame General Rules and Regulations for the Government of each Dispensary District, and for the Guidance and Control of the Guardians, the Committees of Management, and the several Officers to be appointed in connexion therewith respectively; and shall be empowered to alter or revoke such Rules and Regulations, and make such new Rules and Regulations, from Time to Time, as they may think fit^c.

and may alter
Regulations
from time to
time.

VACCINATION.

Vaccination
to be per-
formed by
Medical
Officers of
Dispensaries.

Commis-
sioners to
issue Regula-
tions for
Vaccination.

13. The Medical Officer of every Dispensary District constituted under this Act shall and he is hereby required to vaccinate all Persons who may come to him for that Purpose, subject to such Regulations as may be issued by the Commissioners in that Be-

* See corresponding provision in 1 & 2 Vic. c. 56, § 93 (p. 72), imposing a penalty on local officers being concerned in contracts or furnishing supplies for workhouses.

^b § 1, 2.

^c For Commissioners' General Rules for the Management of the Dispensaries, &c., rescinding and superseding regulations previously issued from time to time, see Part II. 9.

half, and which Regulations the said Commissioners are hereby required to make and issue^a; and that from and after the Declaration of any such Dispensary District, it shall not be obligatory on the Board of Guardians of the Poor Law Union containing such District or any Part thereof, to make a Contract with a Medical Practitioner for the Vaccination of Persons resident in such District, under the Provisions of an Act passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act to extend the Practice of Vaccination*^b; and after the Appointment of a Medical Officer for such Dispensary District, all existing Contracts theretofore made with the Guardians under the Authority of the last-mentioned Act shall cease and determine, Payment being made to such Medical Practi-

14 & 15 Vic.
c. 68,
DISPEN-
SARIES ACT,
1851.

3 & 4 Vic.
c. 29.

Contracts for
Vaccination
to cease and
determine.

^a Regulations as to Vaccination, in General Regulations for Dispensaries, articles 16 & 21, and Circulars on the subject, in Part II. 9.

^b 3 & 4 Vic. c. 29, amended by 4 & 5 Vic. c. 32 (in Part I. 3). Dispensary Districts having been formed and Medical Officers for the same appointed, under the present act, in all the Unions in Ireland, the provisions of the Vaccination Acts here referred to are now practically superseded, so far as concerns Ireland, excepting the provision imposing a penalty for Inoculation, which remains in force. It may, however, be observed, that while the present act puts an end to all the Vaccination Contracts previously in operation, it further merely declares that for the future "it shall not be obligatory on the Board of Guardians" to make contracts under the Vaccination Act of 1840: but it does not repeal that act, or abrogate the Orders issued under it, nor by any express provision prohibit the Guardians from entering into new contracts, or declare it illegal for them to do so, if they think fit, in districts for which it may be deemed necessary to make further provision for Vaccination beyond that made by this act, where the latter is insufficient. See note on 6, 7 of Vaccination Act of 1840, in Part I. 3.

The provision in § 8 of 3 & 4 Vic. c. 29, above referred to, respecting Inoculation, is as follows:—

“§ 8. And be it further enacted, That any Person who shall, from and after the passing of this Act, produce or attempt to produce in any Person, by Inoculation with variolous Matter, or by wilful Exposure to variolous Matter, or to any Matter, Article, or Thing, impregnated with variolous Matter, or wilfully by any other Means whatsoever produce the Disease of Small Pox in any Person in England, Wales, or Ireland, shall be liable to be proceeded against and convicted summarily before any two or more Justices of the Peace in Petty Sessions assembled; and for every such Offence shall, upon Conviction, be imprisoned in the Common Gaol or House of Correction, for any Term not exceeding One Month ”

Persons
Inoculating
or producing
Small Pox,
by any
means,
liable to a
Month's
Imprison-
ment.

14 & 15 Vic.
c. 68,
DISPEN-
SARIES ACT,
1851.

Existing
Medical
Officers of
Dispensaries,
to be con-
tinued in
office if the
Commis-
sioners think
fit;

or selection
may be made
from them.

tioner of such proportional Sum for past Services as may then be due to him^a.

MEDICAL OFFICERS OF EXISTING DISPENSARIES.

14. When, on the Formation of any District under the Provisions of this Act^b, a Medical Practitioner shall be in Possession of a Medical Office connected with any Dispensary subject to the Authority of the said Commissioners^c, and situate in the Locality included in such District, it shall be lawful for the Commissioners, if they shall think fit, to declare him to be, in the first instance, the Medical Officer or One of the Medical Officers of such new District; and so likewise when two or more Medical Practitioners shall be circumstanced as aforesaid, in case the like Number of Medical Officers is required in such new District, it shall be lawful for the said Commissioners, if they shall think fit, to declare such Persons to be the Medical Officers of such new District: but in case a smaller Number of such Officers shall be required for such District, then it shall be lawful for the said Commissioners, if they shall see fit, to nominate such Persons, or any of them, as the Persons from whom a Selection shall be made for a Medical Officer or Officers under the Provisions of this Act, by the Parties^d en-

^a See Vaccination Act of 1840, § 1, 6 (in Part I. 3), and note on the latter section.

^b § 6.

^c The intention of the present section was doubtless to protect the interests of the medical officers of Dispensaries under the late system, by providing for their re-appointment to the new Dispensary Districts, on their formation under this act. But the import of the words used, "any Dispensary subject to the authority of the said Commissioners," appears doubtful; as well as that of the words, "Formation of any District under the provisions of this Act," in cases where an "alteration" of the Districts first formed takes place under § 6, analogous to such an alteration as takes place when a Union is "formed anew," under § 17 of 10 Vic. c. 31, and amounting to an entire reconstruction, or formation of new Districts. The clause appears to have been retained, like others referred to in note ^c (p. 214), with certain alterations, from the Bill, which contained provisions to which the terms of the clause would have been more applicable.

^d See § 8.

titled to appoint to such Office: and it shall not be necessary for the said Commissioners, unless they think fit, to reject any such Medical Practitioner so in Possession of any such Office before the Formation of such District, by reason of the Want of such Qualifications as may be required by them in other Cases^a.

14 & 15 Vic.
c. 68,
DISPEN-
SARIES ACT,
1851.

LUNATICS, BRIDEWELLS, &c.

15. It shall be the Duty of any salaried Medical Officer of a Dispensary District under this Act, or if more than One then the nearest of such Medical Officers (save in the case of his Sickness or necessary Absence, and then the other nearest of such Medical Officers), without any further Fee or Reward, to examine and certify under the Statute in that Behalf as to the Case of any dangerous Lunatic brought before a Justice of the Peace, within his respective District, when summoned by such Justice so to do: and also to give his Medical Attendance and Care, so far as shall be necessary, to the Prisoners or Inmates in any Bridewell or House of Correction situate within such respective District, and to supply to such Prisoners and Inmates the necessary Medicines, the Account of which Medicines^b shall be submitted to the next Meeting of the Committee of such respective District, who shall make Provision for the Payment thereof^c; and it shall

Medical
Officers of
Districts to
examine and
certify as to
dangerous
Lunatics :

and to At-
tend Bride-
wells or
Houses of
Correction
within their
Districts.

^a For proviso as to qualifications, see Dispensary Regulations, article 20, iii. (in Part II. 9).

^b Form of Account for Bridewell or House of Correction; Dispensary Regulations, article 21, vii., and Form of Account (in Part II. 9; Form K).

^c It is not stated out of what fund such provision is to be made by the Committee, or how it would be chargeable. The act does not provide the Dispensary Committee with any funds. Under § 8, the Board of Guardians provide the dispensary accommodation, medicines, and appliances, "for the medical relief of the poor" in each district of the Union, and pay the salaries and expenses incurred for this purpose: see § 6 & 8, and Dispensary Regulations, articles 24-27. The medical attendance and care of the prisoners or inmates of a Bridewell or House of Correction referred to in this section is devolved upon the Medical Officer of the Dispensary as an "extra-

41 & 15 VIC.
c. 68,
DISPEN-
SARIES ACT,
1851.

be lawful for the said Commissioners, if they shall think fit, to take into account the probable Extent of such extraordinary Duties with respect to any such Bridewell or House of Correction, in fixing the Amount of the Salaries of the Medical Officers of such Districts.

POWERS OF INQUIRY AND INSPECTION.

Power of
Commis-
sioners and
Medical
Inspectors to
inquire into
matters
relating to
Dispensaries
under this
Act:

may summon
and examine
witnesses on
oath or take
declaration.

16. The Commissioners, or any One of them^a, and also any such Inspector^b acting in execution of this Act, by Summons under the Seal of the Commissioners^c, or under the separate Hand and Seal of any Commissioner or Inspector respectively, as the Case may be, may require the Attendance of all such Persons as they or he shall think fit to call before them or any of them respectively, upon any Matter connected with the Execution of this Act, relating to any Dispensary subject under this Act^d to the Authority of the said Commissioners, at such Time and Place as shall be set forth in the Summons; and may make Inquiry and require Returns, and may administer Oaths, and examine all such Persons upon Oath; and may require and enforce the Production upon Oath, of Books, Contracts, Agreements, Accounts, Maps, Plans, Surveys, Valuations, and Writings, and Copies thereof, respectively, in anywise relating to any such Matter as aforesaid: or when the Commissioners, or any One of the Commissioners, or any Inspector, shall think fit, instead of requiring such Oath as aforesaid, they or he may require any such Person to make and subscribe

ordinary" duty, distinct from that of administering the "medical relief of the poor" resident in the district, which Members of Committee and other parties authorized to issue tickets are empowered, by § 9, so to afford.

^a § 1.

^b § 3.

^c And see § 18 of 10 & 11 Vic. c. 90 (p. 164) as to documents under the corporate seal of the Commissioners.

^d See § 12 (p. 216).

a Declaration of the Truth of the Matter respecting which he shall have been or shall be so examined: Provided always, that no Person shall be required, in Obedience to any such Summons of any of the said Commissioners, to go more than Thirty Statute Miles from the Place of his Abode, or in Obedience to any such Summons of an Inspector, to go more than Five Miles from the Place of his Abode: Provided also, that nothing herein contained shall empower the Commissioners or any Commissioner or Inspector to require the Production of the Title, or of any Papers or Deeds relating to the Title, of any Lands, Tenements, or Hereditaments, not being Property under the Authority of or vested in the said Commissioners by this Act^a: Provided also, that nothing herein contained shall authorize the said Commissioners or any of them or any such Inspector, to exercise such Powers of Summons, Inquiry, Examination, or other such last-mentioned Powers as aforesaid, in the Case of any Hospital, Infirmary, or Medical Institution supported by private Endowments, Bequests, Property, or Subscriptions^b.

17. Every Person who upon any such Examination as aforesaid under the Authority of this Act, shall wilfully give false Evidence, or wilfully make or subscribe a false Declaration, shall be deemed guilty of a Misdemeanor; and every Person who shall refuse or wilfully

14 & 15 Vic.
c. 68,
DISPEN-
SARIES ACT,
1851.

Proviso:
Witnesses
not to be
required to
go beyond
distances
stated:

And no in-
quiry into
Title of Pro-
perty.

Penalty for
giving false
Evidence;

Penalty for
refusing or

^a It is not very clear what is here alluded to as "property under the authority of or vested in the said Commissioners by this Act." The dispensary buildings and requisites under § 8 are provided by the Guardians; and neither those buildings nor any other property, in lands, tenements, or hereditaments, or otherwise, are vested in the Commissioners by this act. See note ^c on § 10 (p. 214).

^b Supported *exclusively* by private endowments, &c. ? Under § 18, the Commissioners and Inspectors are empowered to inspect and report upon any Infirmary, Hospital, or Medical Institution, supported in whole or in part by any public funds, rates, or assessments: see also powers of inspection and regulation of Hospitals and Infirmaries, from time to time, under § 47 of 1 & 2 Vic. c. 56 (p. 38),

14 & 15 Vic.
c. 68,
DISPEN-
SARIES ACT,
1851.

neglecting to
attend to
give Evi-
dence, &c.
when sum-
moned.

neglect to attend in Obedience to any such Summons as aforesaid of the Commissioners, or any One of the Commissioners, or any Inspector, or to give Evidence as aforesaid, or shall wilfully alter, suppress, conceal, destroy, or refuse to produce any Books, Contracts, Agreements, Accounts, Maps, Plans, Surveys, Valuations, or Writings, or Copies of the same, which may be required as aforesaid to be produced for the Purposes of this Act, to any Person authorized by this Act to require the Production thereof, shall be liable to forfeit a Sum not exceeding Five Pounds, to be recovered before any Justice or Justices at Petty Sessions under his or their Warrant, by Distress and Sale of the Goods of the Party so offending, returning to such Party the Overplus.

Medical
Inspectors
may visit
Dispensaries
and attend
Meetings of
Guardians
and Commit-
tees.

Commission-
ers and In-
spectors may
inspect and
report upon
Hospitals,
&c., re-
ceiving sup-
port from
public Funds
or rates.

18. Every Inspector acting in execution of this Act shall be entitled to enter at all Times into and to inspect every Dispensary or Building used for the Purposes of this Act, and to attend the Meetings of every Board of Guardians or Dispensary Committee, on all Business arising in the Execution of this Act, and to take part in the Proceedings, but not to vote at such Meeting; and the said Commissioners, or an Inspector by their Order in Writing, shall be empowered (when they shall deem it expedient) to enter, inspect, and report upon any Infirmary, Hospital, or Medical Institution supported in the whole or in part by any public Funds, Rates, or Assessments^a.

NUISANCES REMOVAL AND DISEASES PREVENTION ACTS.

Powers under
the Nuisan-
ces Removal
and Diseases
Prevention

19. The said Commissioners^b shall be the Commissioners for executing in *Ireland* the Powers and Purposes of "The Nuisances Re-

^a And see powers of inspection and regulation from time to time under § 47 of 1 & 2 Vic. c. 56 (p. 38). Under § 17, the powers of Inspectors under this act do not extend to institutions supported exclusively by private funds or endowments, &c.

^b § 1.

removal and Diseases Prevention Act, 1848," 14 & 15 Vic. c. 68, and an Act of the following Session of Parliament amending the same^a; and all Committees, Inspectors, Medical Officers, and other Persons appointed or employed under the Powers of this Act shall and they are hereby required, within their respective Districts, to aid the Guardians of the Poor, and such Officers or Persons as they shall appoint or employ, in the Superintendence and Execution of any Directions and Regulations which may at any Time be issued by the said Commissioners for the Time being^b under the Authority and by virtue of the said Nuisances Removal and Diseases Prevention Act and the said Act amending the same, or under or by virtue of the Provisions hereof in relation thereto; and all Expenses which shall be incurred on account or in execution of the said last-mentioned Act or Acts, and chargeable upon the Poor Rates shall hereafter be charged on the

DISPENSARIES ACT,
1851.

Acts,
transferred to
Commissioners and
Officers
appointed
under this
Act.

Expenses
chargeable
on poor rates
to be charged
to Electoral
Divisions;
and to be
subject to
Audit.

^a 11 & 12 Vic. c. 123 ("the Nuisances Removal and Diseases Prevention Act, 1848,") and 12 & 13 Vic. c. 111 ("the Nuisances Removal and Diseases Prevention Amendment Act, 1849.") These acts applied to England and Wales, and Scotland, as well as to Ireland; they have since been repealed so far as regards England and Wales only, and other provision made in lieu thereof; but remain in force in regard to Scotland and Ireland. An abstract containing all those provisions of them which are applicable to Ireland, unincumbered with those portions which relate only to other parts of the United Kingdom, will be found in another part of this volume, (see Appendix).

^b By the provisions of the present act, the Poor Law Commissioners are, for certain purposes, and in certain contingencies, put in place of the late Commissioners of Health for Ireland, who were appointed under the Temporary Fever Acts, which expired at the close of the Session of Parliament in August, 1850, 12 Vic. c. 131, § 12: (see p. 236-7). The provisions of the 9th and subsequent sections of the Nuisances Removal and Diseases Prevention Act, 11 & 12 Vic. c. 123, relating to measures of precaution and prevention on the approach of "any formidable epidemic, endemic, or contagious disease," can only be put in operation by an Order in Council for the purpose, under § 9 of that act, and for so long as such an Order remains or is continued in force. The power of the Commissioners to issue Directions and Regulations under these acts only arises and continues when such an order is in force: (see § 9 & 10 of act of 1848, in Appendix). Their functions under § 8 of that act (when occasion arises) are permanent and not dependent on an Order in Council.

14 & 15 Vic.
c. 68,
DISPEN-
SARIES ACT,
1851.

Poor Rates of the respective Electoral Division situate within such District, in like Manner^a, and be ascertained, paid, and audited, in all respects, as directed^a for the Expenditure under the Provisions and for the Purposes of this Act^a.

ANNUAL REPORT.

Annual
Reports of
Proceedings
and Expen-
ses to be
made to Lord
Lieutenant;

20. The said Commissioners shall once at least in every Year submit to the Lord Lieutenant a General Report of their Proceedings under the Provisions of this Act, including the total Expenses incurred in *Ireland* and in each Union in carrying this Act into execution in each Year, together with a List of all Districts and Dispensaries under this Act, and the total annual Expense of each; and every such General Report shall be laid before both Houses of Parliament on or before the Thirty-first day of *March* in each Year, if Parliament be then sitting, or if Parliament be not then sitting, within Six Weeks after the next Meeting of Parliament.

and to be
laid before
Parliament.

CONSTRUCTION OF ACT.

Interpreta-
tion: "Lord
Lieutenant;"

21. In the Interpretation of this Act, the Words "Lord Lieutenant" shall extend to and include the Chief Governor or Governors of *Ireland* for the Time being; and the Word "Medical" shall be construed to extend to and include the word "Surgical," unless there be something in the Subject repugnant to such Construction.

"Medical,"
Surgical.

Date of Act
taking effect,
2nd October
1851.

22. This Act shall commence and take effect from and after the First Day of *October* One thousand eight hundred and fifty-one.

^a "In like manner," "as directed."—There does not appear to be in "this Act," any such direction as is here referred to: see note c on § 10 (p. 214). But all expenditure out of the Poor Rates must be charged in the accounts of the Unions, and must therefore come under the cognizance of Auditors appointed under the provisions and for the purposes of the Irish Poor Relief Act.

POOR LAW COMMISSION.

15 & 16 VICT. CAP. 37.

An Act to continue the Poor Law Commission
for *Ireland*.

[30th June 1852.]

15 & 16 Vic.
c. 37,
POOR LAW
COMMISSION
CONTINU-
ANCE ACT,
1852.

WHEREAS by the Act of the Eleventh Year of Her Majesty, Chapter Ninety, Provisions were made for the Constitution and Appointment of Commissioners for administering the Laws for the Relief of the Poor in *Ireland*, Secretaries, Inspectors, and other Officers^a: And whereas by an Act of the Fifteenth Year of Her Majesty, Chapter Sixty-eight, Provisions were made for the Appointment of Two Persons, who, together with the Commissioners appointed under the said first-recited Act, should be "The Commissioners for administering the Laws for the Relief of the Poor in *Ireland*^b:" And whereas the above-mentioned Provisions of the said first-recited Act will expire at the End of the Session of Parliament held next after the Twenty-second Day of *July* in the present Year^c; and it is expedient that the Commission for administering the Laws for the Relief of the Poor in *Ireland*, as constituted under said recited Acts, should be continued for a limited Time: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Par-

10 & 11 Vic.
c. 90.

14 & 15 Vic.
c. 68.

Poor Law
Commission
for Ireland
continued;

^a Irish Poor Law Administration Act, 10 & 11 Vic. c. 90, §§ 1, 4, 5 (p. 157-9).

^b Dispensaries Act, 14 & 15 Vic. c. 68, § 1 (p. 207).

^c 10 & 11 Vic. c. 90, § 23 (p. 167).

15 & 16 VIC.
c. 37,
POOR LAW
COMMISSION
CONTINU-
ANCE ACT,
1852.

until end of
Session after
23rd July
1854.

liament assembled, and by the Authority of the same, That the Commissioners appointed by Her Majesty the Queen, or to be appointed by Her Majesty, Her Heirs and Successors, under the Authority of the said recited Acts or either of them, together with every Person by the said Acts or either of them constituted by virtue of his Office such Commissioner, and every Secretary, Inspector, and other Officer and Person appointed or to be appointed by the Commissioners, under the Provisions of the said first-recited Act^a now in force, shall, unless he shall previously resign or be removed, or otherwise cease to hold his Office, be empowered to hold his Office and exercise the Powers thereof, under the said Acts or either of them, until the Twenty-third Day of *July* One thousand eight hundred and fifty-four, and thenceforth until the End of the then next Session of Parliament: and until the Expiration of the said Period, it shall be lawful for Her Majesty, Her Heirs and Successors, from Time to Time, at Pleasure, to remove the Commissioner or Commissioners for the Time being appointed by Her Majesty, or to be appointed by Her Majesty, Her Heirs and Successors, under the said recited Acts or either of them, and upon every Vacancy in the Office of the Commissioner or Commissioners so appointed or to be appointed by Her Majesty, Her Heirs and Successors, either by Removal, Death, Resignation, or otherwise, to appoint, as in the said recited Acts or either of them is described, some other fit Person to the said Office.

^a The second act recited, 14 & 15 Vic. c. 68, § 3, provides for the appointment of Medical Inspectors under and for the purposes of that act; the limitation in § 23 of the act first recited, 10 & 11 Vic. c. 90, applied only to officers appointed under the last-mentioned act.

17 & 18 VICT. CAP. 63.

An Act to continue the Poor Law Commission
for *Ireland*.

[31st July 1854.]

17 & 18 Vic.
c. 63,
POOR LAW
COMMISSION
CONTINU-
ANCE ACT,
1854.

WHEREAS by the Act of the Eleventh Year of Her Majesty, Chapter Ninety, Provisions were made for the Constitution and Appointment of Commissioners for administering the Laws for the Relief of the Poor in *Ireland*, Secretaries, Inspectors, and other Officers^a: And whereas by an Act of the Fifteenth Year of Her Majesty, Chapter Sixty-eight, Provisions were made for the Appointment of Two Persons, who, together with the Commissioners appointed under the said first-recited Act, should be "The Commissioners for administering the Laws for the Relief of the Poor in *Ireland*^b:" And whereas by an Act of the Sixteenth Year of Her Majesty, Chapter Thirty-seven^c, the Provisions of the said first-recited Act were continued until the Twenty-third Day of *July* One thousand eight hundred and fifty-four, and thenceforth to the End of the then next Session of Parliament: And whereas the above-mentioned Provisions of the said first-recited Act will expire at the End of the Session of Parliament held next after the Twenty-third Day of *July* in the present Year; and it is expedient that the Commission for administering the Laws for the Relief of the Poor in *Ireland*, as constituted under said first and second recited Acts, should be continued for a limited Time: Be

^a 10 & 11 Vic. c. 90, §§ 1, 4, 5 (p. 157-9).^b 14 & 15 Vic. c. 68, § 1 (p. 207).^c 15 & 16 Vic. c. 37 (p. 225).

17 & 18 VIC.
c. 63,
POOR LAW
COMMISSION
CONTINU-
ANCE ACT,
1854.

Poor Law
Commission
for Ireland
further
continued ;

until end of
Session after
23rd July
1859.

it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Commissioners appointed by Her Majesty the Queen, or to be appointed by Her Majesty, Her Heirs and Successors, under the Authority of the said recited Acts or either of them, together with every Person by the said Acts or either of them constituted by virtue of his Office, such Commissioner, and every Secretary, Inspector, and other Officer and Person appointed or to be appointed by the Commissioners, under the Provisions of the said first-recited Act^a now in force, shall, unless he shall previously resign or be removed, or otherwise cease to hold his Office, be empowered to hold his Office and exercise the Powers thereof, under the said Acts or either of them, until the Twenty-third Day of *July* One thousand eight hundred and fifty-nine, and thenceforth until the End of the then next Session of Parliament; and until the Expiration of the said Period, it shall be lawful for Her Majesty, Her Heirs and Successors, from Time to Time, at Pleasure, to remove the Commissioner or Commissioners for the Time being appointed by Her Majesty, or to be appointed by Her Majesty, Her Heirs and Successors, under the said recited Acts or either of them, and upon every Vacancy in the Office of the Commissioner or Commissioners so appointed or to be appointed by Her Majesty, Her Heirs and Successors, either by Removal, Death, Resignation, or otherwise, to appoint, as in the said recited Acts or either of them is described, some other fit Person to the said Office.

^a See note in p. 226.

2.—TEMPORARY RELIEF AND ADVANCES

ACTS,—1846 to 1849;

AND

SUBSEQUENT ACTS CONNECTED THEREWITH.

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TEMPORARY RELIEF & ADVANCES ACTS, &c.

INTRODUCTORY OBSERVATIONS.

The present division of this volume (Part I. 2,) relates to such of the temporary relief legislation, in the famine years 1846 and 1847 and subsequent periods of distress consequent thereon, and to the measures arising out of the same, as have reference to or are connected with the machinery of the Poor Law.

In the last edition of this work, it was stated that “although some of the measures in this volume were passed for temporary purposes only,—such as the Labour Rate Act of 1846, and the Temporary Relief Act of 1847,—and the relief operations under those measures have been terminated, yet I have thought it right not to omit those Acts altogether from this collection, inasmuch as some of the provisions referred to, chiefly relating to financial arrangements, remain still to be worked out: I have accordingly included these and some other temporary Acts,—as the Rate in Aid and the recent Sanitary Acts, &c.,—or Abstracts of them,” &c.—(Preface to 3rd edit., dated in July, 1850.)

The arrangements referred to having since been brought to a close, under the Consolidated Annuities Act and the subsequent Acts by which those Annuities were entirely remitted and given up, and which cannot be excluded consistently with the design of this work, it is no longer necessary, for any practical purposes, to retain the various temporary Acts which have expired or been superseded by the later enactments, and they would unnecessarily swell the bulk of the work, in which they and several Orders now superseded and omitted in like manner, occupied considerable space.

The following brief account of the earlier relief measures above alluded to will, it is hoped, afford such explanation as appears to be sufficient for the objects of this work, and to be called for in connexion with those later Acts which it has been thought right to insert at length in this division of the volume.

ABSTRACT OF TEMPORARY PROVISIONS

REFERRED TO

IN SUBSEQUENT ACTS HEREINAFTER INSERTED.

9 & 10 Vic.
c. 107,
Labour
Rate Act,
1846.

Advances by
Treasury.

The first of the Acts here referred to was that usually called the Labour Rate Act, passed on 28th August, 1846, in the first year of the Famine, 9 & 10 Vic. c. 107, "an Act to facilitate the Employment of the Labouring Poor, for a limited period, in the Distressed Districts in Ireland." This Act provided for presentments for Public Works in distressed districts being made, down to 15th August, 1847; after which no Presentment Sessions were to be held for this purpose, and no such work to be commenced: and the Lords of the Treasury were empowered to make Advances for such works to the Board of Works in Ireland, and authorize the Board of Works to execute them, rendering an account to the Treasury. The advances from the Treasury were required to be repaid by compulsory presentment by half-yearly Instalments, not less than four nor more than twenty, as the Treasury might direct: in case of failure by the Grand Jury, in any instance, to present, the County Treasurer was empowered to insert the requisite sum in the warrant, to be levied as if it had been presented. The instalments to be levied off any Barony, Half-Barony, County of a City, or County of a Town, in repayment of advances under this Act, were to be assessed and levied in like manner with the Poor Rate, and upon the same persons, a proportion of the rate being deducted from landlords as in the case of Poor Rate. And Copies of the Poor Rates or Valuations might be taken by the County Cess Collector for the purpose of the Act, under Penalty for refusal.

By a subsequent Act 10 & 11 Vic. c. 87, part of the advances under the Labour Rate Act was made a free grant: and the other portion remaining unpaid, having since been included in the Consolidated Annuities under 13 Vic. c. 14^a, has been entirely remitted from a certain date, and made a grant, with the other advances included in those annuities, by 16 & 17 Vic. c. 75^b.

10 & 11 Vic.
c. 10, Labour
Rate Indem-
nity Act,
1847.

The 10 & 11 Vic. cap. 10, ("an Act to render valid certain Proceedings for the Relief of Distress in Ireland, by employment of the Labouring Poor, and to Indemnify those who have acted in such Proceedings,") passed 18th March 1847,—after reciting the Labour Rate Act 9 & 10 Vic. c. 107, and the Letter known as Mr. Labouchere's Letter, which authorized certain descriptions of relief works,—makes valid proceedings which had been taken under that letter for the Employment of the Labouring Poor and for the execution of certain works, as well as

presentments made at Presentment Sessions held under that Act and approved by the Lord Lieutenant and the Treasury ; and indemnifies persons who had acted therein, as if all such proceedings had been previously authorized by the former Act. It also provides for a further assessment of certain Presentments for works either on the Barony at Large or on Electoral Divisions, as should be determined by the Commissioners of Public Works, subject to appeal to the Lord Lieutenant: the assessment under this Act being made and levied on the district concerned, according to the last Poor Rate, in like manner as the assessments under the previous Act.

The 10 & 11 Vic. cap. 80, ("an Act to amend an Act of the last Session, for facilitating the Employment of the Labouring Poor in the Distressed Districts in Ireland, so far as relates to Compensation for Damages,") passed 22nd July 1847, recites the two previous Acts, 9 & 10 Vic. c. 107 and 10 & 11 Vic. c. 10, and extends the Provision made as to Compensation for Damages to Lands in the execution of Works under those Acts. The first of those Acts provided that when ground was taken or occupied for public works under the act, the Owner or Occupier of the Land should obtain from the Officer of the Board of Works or County Surveyor, a Certificate of the Value, &c. of the same, and Estimate of Damages: and on such Certificate the works might be proceeded with. Provision is made for the presentment of the amount of Damages, the Assessment for Damages being made and levied, according to the Poor Rate, on the district concerned.

10 & 11 Vic.
c. 80, Labour
Rate Works
Damages
Act, 1847.

The 10 & 11 Vic. c. 87, ("an Act to facilitate the Recovery of Public Moneys advanced for the Relief of Distress in Ireland, by the Employment of the Labouring Poor,") was passed 22nd July 1847. This Act, referring to the preceding Acts of 9 & 10 Vic. c. 107 and 10 & 11 Vic. c. 10, directed that the total sums expended for public or relief works under those Acts should be ascertained by the Commissioners of Public Works and certified to the Treasury (§ 1). And one moiety of such sums was made a free grant from the Consolidated Fund (§ 2). The other moiety, with interest up to 1st March, 1848, it was directed should be ascertained and certified to the respective Secretaries of Grand Juries (§ 3); the sums so ascertained and certified, being required to be repaid by an Annuity of £12 per cent. per annum for ten years, payable in twenty half-yearly instalments, and charged upon the Baronies, Electoral Divisions, or other Districts concerned (§ 4, 5, 7). The whole amount was required to be included in a presentment by the Grand Jury at the Spring Assizes in 1848, and the half-yearly instalments to be included in the warrants for collection from time to time without further presentment (§ 6). The County Treasurer was required to pay the instalments from time to time to the

10 & 11 Vic.
c. 87, Labour
Rate
Advances
Recovery
Act, 1847.

Paymaster of Civil Services in Ireland to be paid over by him to the Consolidated Fund (§ 8): and provision was made for supplemental Certificates being issued by the Board of Works in certain cases in which they might have been prevented from giving a Certificate before the Spring Assizes in 1848: the amounts in such supplemental Certificates to be presented, collected, and paid in like manner (§ 9). The assessments under this Act to be levied according to the last Poor Rate, on the Districts concerned (§ 7), and a proportion deducted from rent and tithe-rent charge, as under the previous Acts.

11 & 12 Vic.
c. 51, Loans
for Drainage,
&c., 1848.

£945,000.

The 11 & 12 Vic. c. 51, ("an Act to provide additional Funds for Loans for Drainage and other Works of Public Utility in Ireland,") passed 14th August, 1848, authorized the Treasury to issue further Advances, not exceeding £945,000, for the completion of works commenced under the Labour Rate Act, and for Drainage and other Public Works described (§ 1, 2). It also authorized the Treasury (§ 4) to postpone the commencement of the payment of the Annuities under 10 & 11 Vic. c. 87, above adverted to; and gave power to the Treasury to convert the Annuities under these acts into others of longer or shorter duration, chargeable on the Baronies, Electoral Divisions, or other Districts concerned, on application of the Grand Jury or Justices in Special Sessions (§ 5, 6), such Annuities to be assessed and levied according to the Poor Rate and upon the persons liable to pay it; and provision being made (§ 7) for the payment of such assessment where the occupation of premises might have changed, by the persons in occupation at the time of assessment, or subsequent occupiers, with power to deduct from rent, as under the Irish Poor Relief Act.

10 Vic. c. 7,
Temporary
Relief Act,
1847.

The Temporary Relief Act, passed 26th February, 1847 (10 Vic. cap. 7, "an Act for the Temporary Relief of Destitute Persons in Ireland"), under which the temporary Relief Commission was constituted, for the administration of Relief during the Famine of that year, provided for the formation of Relief Committees under orders of the Lord Lieutenant, for any one or more Electoral Divisions in any Union; and for the appointment of a Finance Committee for the Union by the Lord Lieutenant; Inspectors for the supervision of the proceedings in each Union and District being also appointed by the Relief Commissioners.

The several Relief Committees were required from time to time to make out lists of persons to be relieved under the provisions of this Act within each Electoral Division for which they acted, according to regulations and instructions issued by the Relief Commissioners, with estimates of the Sums which appeared to them to be needed from time to time to defray the necessary expenses for the purchase, preparation, distribution, or sale of food and such other relief as they were authorized to afford; and from time to

time to send such lists and estimates to the Finance Committee acting for the Union or for such Electoral Division or Divisions, and to state to the Finance Committee the time when such Sums or any part thereof would be needed.

The Finance Committee were required to examine such lists and estimates, and had authority to revise and amend the same; and on the lists and estimates being allowed and signed, the Inspector was required to report the amount to the Lord Lieutenant and the time when it or any part of it would be needed; and thereupon the Lord Lieutenant caused a warrant to be issued for the amount thereof, or such portion of it as he approved, directed to the Guardians of the Poor for the Union, requiring them to pay the amount out of the Poor Rates to a person named in the warrant to receive the same, on behalf of the Finance Committee, within a time mentioned in the warrant (§ 8).

The Guardians were required to pay the amount out of the rates in hand, and if they had not sufficient funds available, to levy the necessary amount of rate under the Poor Law acts (§ 9); and in case of neglect or refusal on their part to pay or levy the money so required, the Poor Law Commissioners were empowered to dissolve the Board of Guardians, and to appoint paid officers to act as Guardians, their Salaries being payable out of the rates (§ 10).

The Sums so raised, and also all Sums raised by voluntary contributions were directed to be either paid over by the Finance Committee to the Relief Committee of the Electoral Division or Divisions on account of which they were severally demanded, or to be employed by the said Finance Committee in procuring the food and necessaries required by the Relief Committee, for enabling them most effectually to carry out the purposes of the Act (§ 12).

The Act further provided for the apportionment of charges on the Union or the Electoral Divisions, as the case might be (§ 13): and required the Inspector to certify to the Relief Commissioners the amounts of the allowed estimates, the amounts levied by the Guardians, and the Sums actually paid over by them (§ 14). And with the view of providing funds pending the making and collection of rates, the Lords of the Treasury were empowered to issue, as a temporary advance, from time to time, any Sum or Sums not exceeding Three Hundred Thousand Pounds, to the Relief Commissioners, to be by them applied by way of loan on the security of the Rates for the purposes of this Act; all such Sums to be repaid to the Consolidated Fund out of the Rates to be levied in the Union on behalf of which such loan shall have been made (§ 15): and the Act then provides for the mode of repayment of the loans out of the Rates (§ 17). The Treasury were further empowered, on application of the Relief Commissioners, to make grants

Treasury
Advances,
£300,000.

in aid of the Rates or of voluntary contributions (a very large amount of which were received), for the purposes of this act (§ 18). These provisions for the issue of money were in force, the Act having been passed on 26th February, 1847, until the 1st October in that year, after which date no Warrant for the raising of money under this act could be issued by the Lord Lieutenant, nor any Grant made by the Lords of the Treasury in aid of the Rates to be levied under the act (§ 22).

Temporary
Fever Acts:
1846-1848.

Concurrently with the foregoing measures for the employment and relief of the destitute during the Famine, and during its accompanying Epidemics of Fever and Dysentery, provision was made under other Acts for the medical treatment and relief of "Poor Persons afflicted with Fever and other Epidemic Diseases in Ireland," which it is necessary here to refer to, the expenses having formed part of the relief expenditure for which Loans were incurred and Advances or Grants made.

9 Vic. c. 6,
Temporary
Fever Act,
1846.

The first "Temporary Fever Act," passed 24th March, 1846, (9 Vic. c. 6, "an Act to make Provision until 1st September, 1847, for the Treatment of Poor Persons afflicted with Fever in Ireland,") provided for the appointment of Commissioners of Health for Ireland, by the Lord Lieutenant, and for the appointment of Medical Officers in localities requiring them; and empowered the Commissioners, (who were usually styled the Central Board of Health,) to require the Guardians to provide Fever Hospitals and Dispensaries where necessary, and such nourishment, medical appliances, and other necessities, as were requisite; such Temporary Hospitals and Dispensaries being under the management of the Board of Guardians, by whom and their officers patients were admissible; the expenses under the Act, to be paid by the Guardians out of the Poor Rates, except the salaries of the Medical Officers, which were to be paid under the direction of the Treasury out of the Relief Funds to be voted for the purpose.

10 Vic. c. 22,
Temporary
Fever Act,
1847.

The above Act was acted upon for a short time only in 1846, and superseded by an Act passed 26th April, 1847,—10 Vic. c. 22, "an Act to amend, and continue until 1st November, 1847, and to the end of the then next Session of Parliament," the previous Act of 1846, 9 Vic. c. 6. The 10 Vic. c. 22 transferred the management of the Temporary Fever Hospitals and Dispensaries to the Relief Committees appointed under the Temporary Relief Act, 10 Vic. c. 7: and authorized the Central Board of Health (which had been revived and reconstituted in the early part of this year, 1847) to issue to the Relief Commissioners certificates of the necessity of Medical Relief in any Districts for which such Committees were constituted, (and where no such Committees existed at the time, they could be constituted or revived for the purposes of this act,)—upon receipt of which

certificate, the Relief Commissioners issued an Order requiring them to provide Temporary Fever Hospitals and Dispensaries accordingly. The expenses under this Act, including the salaries of the Medical Officers, were defrayed out of the Relief Funds provided and in the hands of the Relief Commissioners under the Temporary Relief Act, 10 Vic. c. 7.

These two "Temporary Fever Acts" were further amended and continued by an Act passed 5th September, 1848,—11 & 12 Vic. c. 131, "an Act to amend and continue until 1st November 1849 and to the End of the then next Session of Parliament, an Act to make Provision for the Treatment of Poor Persons afflicted with Fever in Ireland." The Relief Commission and Committees under the Temporary Relief Act, 10 Vic. c. 7, having expired, the 11 & 12 Vic. c. 131 re-transferred the Temporary Hospitals and Dispensaries certified by the Central Board of Health to be necessary to be upheld and maintained, to the Boards of Guardians, (as under the first fever act, 9 Vic. c. 6,) who were required to defray the necessary expenses, including the salaries of the Medical Officers, out of the Rates, and were empowered to appoint Committees, consisting of Guardians and Rate-payers, for the management of the Temporary Hospitals and Dispensaries, subject to the Regulations of the Central Board of Health.

11 & 12 Vic.
c. 131, Tem-
porary Fever
Act, 1848.

It may be added, that the two last Acts also provided for the adoption of sanitary precautions against the spread of disease; and the Commissioners of Health were empowered by the Nuisances Removal and Diseases Prevention Acts of 1848 and 1849 (12 Vic. c. 123 and 12 & 13 Vic. c. 111, in Appendix), to exercise powers for the prevention, as far as possible, or mitigation of epidemic and contagious diseases, under the provisions in this behalf in the latter acts, when put in force by Orders in Council. And the Central Board of Health continued in possession of these powers during the different visitations of epidemic disease, in Ireland, from 1848 until the expiration of the Board in the autumn of 1850, under § 12 of the act of 11 & 12 Vic. c. 131, which was not further renewed. The Poor Law Commissioners have since been declared by the Dispensaries Act of 1851^a to be the Commissioners for the purposes of this portion of the Nuisances Removal and Diseases Prevention Acts.

Nuisances
Removal and
Diseases Pre-
vention Acts.

The 10 & 11 Vic. c. 55, "An Act to authorize a further Advance of Money for the Relief of Destitute Persons in Ireland," passed 25th June 1847, after reciting the Temporary Relief Act, 10 Vic. c. 7, and the necessity for authorizing a further Advance of Money for the Relief of the Destitute Poor in Ireland in addition to the Sum advanced by virtue of that Act, empowered the Lords of the Treasury to cause to be issued as a temporary Advance

10 & 11 Vic.
c. 55, Tem-
porary Relief
Advances
Act, 1847.

^a 14 & 15 Vic. c. 68, § 19 (p. 222).

£600,000.

from Time to Time, at any Time before the 1st October 1847 out of the Consolidated Fund any Sum or Sums not exceeding Six Hundred Thousand Pounds, to the Relief Commissioners, to be by them applied for the purposes of the Temporary Relief Act, by way of Loan on the Security of the Poor Rates; all such Sums to be repaid in such Manner as the Commissioners of Her Majesty's Treasury might direct, from and out of the Rates to be levied in the Union on behalf of which such Loan shall have been made.

10 & 11 Vic.
c. 99, Tem-
porary Relief
Advances
Act, 1847.
£300,000.

The 10 & 11 Vic. c. 99, "an Act to authorize a further Advance of Money for the Relief of Destitute Persons in Ireland," passed 22nd July 1847, authorized the Lords of the Treasury to make further Temporary Advances not exceeding Three Hundred Thousand Pounds to the temporary Relief Commissioners, to be applied and repaid in like manner.

12 Vic. c. 5,
Relief Ad-
vances or
Grant, 1849.

£50,000.

The 12 Vic. c. 5, "an Act to authorize an Advance of Money for the Relief of certain distressed Poor Law Unions in Ireland," passed 9th March 1849, is in the following terms:—"Whereas it is expedient to authorize "an Advance of Money for the Relief of certain distressed "Poor Law Unions in *Ireland*: Be it therefore enacted, &c., "That it shall be lawful for the Commissioners of Her "Majesty's Treasury of the United Kingdom of *Great* "*Britain* and *Ireland*, or any Three or more of them, to "issue out of the growing Produce of the Consolidated "Fund of the said United Kingdom, any Sum or Sums "of Money, not exceeding Fifty Thousand Pounds, for "affording Relief to certain distressed Poor Law Unions "in *Ireland*; which Sum or Sums shall be paid to such "Person or Persons, at such Time or Times, and "under such Conditions and Restrictions, as the said "Commissioners of Her Majesty's Treasury shall direct."

The following Acts are inserted without abridgment.

RATE-IN-AID ACT.

12 VICT. CAP. 24.

An Act to make Provision, until the Thirty-first Day of *December* One thousand eight hundred and fifty, for a General Rate in Aid of certain Distressed Unions and Electoral Divisions in *Ireland*. [24th May 1849.]

12 VIC. c. 24.
RATE-IN-AID
ACT,
1849.

§ 1. WHEREAS it is expedient for a limited Time to make further Provision for the Relief of the destitute Poor chargeable on certain Unions and Electoral Divisions in *Ireland*: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners for administering the Laws for the Relief of the Poor in *Ireland*, with the Approval of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, during each of the Years ending the Thirty-first Day of *December*, one thousand eight hundred and forty-nine, and the Thirty-first Day of *December*, one thousand eight hundred and fifty, to fix and declare from time to time the Amount of such Sum as the said Commissioners shall deem it necessary should be raised for the Purpose aforesaid, and to assess the same upon the several Unions in *Ireland* in proportion to the annual Value of the Property in each Union rateable to the Relief of the Poor, according to the Valuation thereof for Poor Rates in force for the time being; provided that the Sum so to be levied in any Union, in each of the said Two years, shall not exceed Sixpence in the Pound on such annual Value^a; and the said Commissioners shall transmit to the Guardians of each Union an Order under their Seal, stating the Amount so assessed on such Union, and the Amount thereof which shall be leviable on each Electoral Division of such Union, according to the net annual Value of the rateable Property in such Electoral Divisions respectively.

Poor Law Commissioners may from time to time fix and declare the amount to be levied as a Rate in Aid, in 1849 and in 1850:

and assess the same according to the Poor Law Valuation.

Not to exceed 6d. in £ in each year.

Commissioners to issue order for the purpose.

2. And be it enacted, That the Guardians of each Union shall, in the Rate to be made on each Electoral Division of the Union next after the Receipt of such Order, provide for the sum leviable on such Division according to the Order of the Commissioners as aforesaid: and from and after the making of the Rate on

Guardians to provide the sum in next Rate after Receipt of Order.

^a The amount of the Rate-in-Aid assessed under this Act, by the Commissioners, in 1849, was £322,628 7s. 4d., being at the rate of 6d. in the pound on the then existing Valuation; and the amount of that in 1850, £99,362 3s. 3d., being at the rate of 2d. in the pound on the Valuation then in force: total amount assessed, £421,990 10s. 7d., or 8d. in the pound, in the two years.

12 Vic. c. 24,
RATE-IN-AID
ACT,
1849.

Treasurer to
reserve a
moiety of
Lodgments,
until the
amount
assessed is
brought to
account.

Treasurer to
pay over
amount to
Bank of
Ireland.

Treasury
empowered
to direct Dis-
posal of
Monies
arising from
the Rate in
Aid, to
purposes
specified.

Treasury
may advance
£100,000,
chargeable
on Rate in
Aid.

such Division next after the Receipt of such Order, the Treasurer of the Union shall, out of all Lodgments made with him of such Rate, or any subsequent Rate, on account of such Division, reserve One Moiety of all such Lodgments, and place the same to the Credit of such Division in an Account to be entitled "The Union Rate in Aid Account," until the whole Sum leviable on such Division under the said Order shall have been reserved and placed to such Account as aforesaid^b: And the Treasurer of such Union shall pay over from time to time all Sums so reserved as aforesaid on account of the Proportion leviable on each Electoral Division, into the Bank of *Ireland*, to be there placed to a separate Account in the Name of the Paymaster of Civil Services in *Ireland*, to be entitled "The General Rate in Aid Account."^c

3. And be it enacted, That the Commissioners of Her Majesty's Treasury shall be empowered to order the Payment of the Sum standing in such separate Account at the Bank of *Ireland* as aforesaid, or of any Part thereof, to such Person or Persons, at such Time and Times, and under such Conditions and Restrictions, as the said Commissioners of Her Majesty's Treasury shall think fit, for the Purpose of affording Relief to destitute poor Persons in any Union or Electoral Division in *Ireland*, or of assisting the Emigration of such destitute poor Persons, or for the Purpose of repaying any Advance which may have been made as hereinafter provided^d out of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland* for any of the Purposes aforesaid.

4. And be it enacted, That for the more speedy affording of such Relief, it shall be lawful for the Commissioners of Her Majesty's Treasury to direct that any Sum or Sums not exceeding in the whole One Hundred Thousand Pounds shall be issued and paid, out of the growing Produce of the said Consolidated Fund, to such Person

^a By a General Order dated 28th June 1849, (p. 764 of 3rd edit. of *Compendium*,) the Commissioners regulated the mode of keeping Accounts of the Rate-in-Aid, and prescribed Forms of Accounts to be kept thereof, in the several Unions. It is considered unnecessary now to insert this Order in the present edition; see next note ^b.

^b In their Eighth Annual Report under the Irish Poor Relief Act, which bears date the 1st May 1855, the Poor Law Commissioners observe (page 23):—"The Rate-in-Aid will not again appear in any of the Union Accounts; the entire sum imposed,—namely, £421,990 10s. 7d.,—having now been collected, without any drawback. We are also enabled to state, that the entire fund has been appropriated, and that there remains at present in our Rate-in-Aid Account at the Bank of Ireland, only £589 16s. 3½d. unissued, the whole of which, however, is appropriated to particular Unions; and no further assistance, therefore, can be given to Unions or Electoral Divisions from that fund."

^c See § 5, as to Account to be laid before Parliament, (p. 241),

^d § 4: see also 12 & 13 Vic. c. 63 (p. 242).

or Persons and at such Time and Times as the said Commissioners shall from time to time direct; and such Sum or Sums shall be charged on and be repayable out of the Produce of any Rate or Rates to be levied in the Union or Unions in *Ireland* under the Provisions and in pursuance of this Act^a.

12 VIC. c. 24.
RATE-IN-AID
ACT,
1849.

5. And be it enacted, That an Account shall be made up^b, of the Sums received and expended under this Act by means of the said Rate in Aid, to the Thirty-first Day of *December* in the present Year, and also a similar Account to the same Day in the Year one thousand eight hundred and fifty, in the Form set forth in the Schedule to this Act annexed; which Accounts shall be laid before Parliament within Ten Days after the first Sitting of Parliament, next after the Thirty-first Day of *December* in each of the said Years.

Account of
Receipt and
Expenditure
of Rate in
Aid, to be
made up at
close of each
year, and be
laid before
Parliament.

6. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Act may be
amended,
&c.

SCHEDULE TO WHICH THIS ACT REFERS.

Name of Union.	Valuation of Poor Law.	Amount of Rate in Aid received.	Amount granted out of Rate in Aid.	Total Amount appropriated under Rate in Aid.	Debt due on Union.	Amount of Rate collected.	Amount of Rate remaining uncollected.	Amount applied for Emigration under this Act.	Total Amount of Rate in Aid remaining unissued.

^a 12 & 13 Vic. c. 63 (p. 242), authorizes a further advance of £150,000 on account of the Rate in Aid : and an act of 1852, (15 & 16 Vic. c. 68, p. 258,) authorizes a sum of £12,374 18s. 11d., (an unappropriated balance of Fines and Forfeitures which had accrued in Ireland,) to be transferred to the General Rate-in-Aid Account, and applied to the purposes of this act, in aid of distressed districts.

^b And see § 2 and note ^a thereon, in preceding page, as to Accounts to be kept in the several Unions.

^c § 5.

ADVANCE ON SECURITY OF RATE-IN-AID.

12 & 13 Vic.

c. 63,
RELIEF
ADVANCES
£150,000,
1849.

12 & 13 VICT. CAP. 63.

An Act to authorize a further Advance of Money for the Relief of certain distressed Poor Law Unions in *Ireland*.
[28th July 1849.]

Treasury
may issue
£150,000 for
Relief of
distressed
Unions:

on security of
Rate-in-Aid.

WHEREAS it is expedient to authorize a further Advance of Money for the Relief of certain distressed Poor Law Unions in *Ireland*: Be it therefore enacted by, &c., That it shall be lawful for the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, to issue out of the growing Produce of the Consolidated Fund of the said United Kingdom, any Sum or Sums of Money, not exceeding One Hundred and Fifty Thousand Pounds, for affording Relief to certain distressed Poor Law Unions in *Ireland*; which Sum or Sums shall be paid to such Person or Persons, at such Time or Times, and under such Conditions and Restrictions, as the said Commissioners of Her Majesty's Treasury shall direct: and such Sum or Sums shall be charged on and be repayable out of the Produce of any Rate or Rates to be levied in any Union or Unions in *Ireland* under the Provisions and in pursuance of an Act passed in this present Session of Parliament, intituled *An Act to make Provision, until the Thirty-first Day of December One thousand eight hundred and fifty, for a General Rate in Aid of certain distressed Unions and Electoral Divisions in Ireland*^a; and all the Powers and Provisions contained in the said Act for the Repayment of the Sum of Money thereby authorized to be issued^b shall also extend to the Sum hereby authorized to be issued as aforesaid.

WORKHOUSE BUILDING LOANS ACT.

12 & 13 Vic.

c. 86,
WORKHOUSE
LOANS ACT,
1849.

12 & 13 VICT. CAP. 86.

An Act to provide additional Funds for Loans by the Public Works Loan Commissioners for building Workhouses in *Ireland*.
[1st August 1849.]

1 & 2 Vic.
c. 56.

§ 1. WHEREAS by an Act of the Second Year of Her Majesty, intituled *An Act for the more effectual Relief of the Destitute Poor in Ireland*, Power is given to borrow on behalf of any Union in *Ireland*, and for the Exchequer Bill Loan Commissioners therein mentioned to advance, any Sum necessary for building a Workhouse or Workhouses, or for such other Purposes as therein mentioned; the Money so to be borrowed to be secured by a Charge on the Rates of such Union, under the Seal of the Guardians or other Persons appointed or authorized to act as Guardians, or under the Seal of the Poor Law Commissioners, as the Case should require, and to carry Interest and be repaid

^a 12 & 13 Vic. c. 24 (p. 229).

^b § 4 (p. 240).

by Instalments as in such Act mentioned: And whereas by an Act of the Fifth Year of Her Majesty, “to authorize the Advance of Money out of the Consolidated Fund to a limited Amount, for carrying on Public Works and Fisheries and Employment of the Poor, and to amend the Acts authorizing the issue of Exchequer Bills for the like Purposes,” the Commissioners theretofore referred to as the Exchequer Bill Loan Commissioners, since and in this Act referred to as the Public Works Loan Commissioners, were authorized to make Loans of any Parts of the Monies to be issued and paid out of the Consolidated Fund, as therein mentioned, to the Persons by whom and for the Purposes for which Money was authorized by the said Act of the Second Year of Her Majesty to be borrowed as aforesaid^a, repayable by such Instalments, at such Interest, upon such Security, on such Terms, and subject to such Conditions and Provisions, as are mentioned and contained in the last-mentioned Act, subject to such Variations as in the Act now in recital mentioned: And whereas Money authorized to be advanced out of the Consolidated Fund under an Act of the Tenth Year of Her Majesty, “to authorize the Advance of Money out of the Consolidated Fund for carrying on Public Works and Fisheries and Employment of the Poor,” was thereby made applicable for the like Loans: And whereas by an Act passed in the last Session of Parliament, intituled *An Act to provide additional Funds for Loans for Drainage and other Works of public Utility in Ireland*, the Commissioners of Her Majesty’s Treasury were empowered to cause to be issued, during the Term of Three Years from the Fifth day of April One thousand eight hundred and forty-eight, out of the growing Produce of the Consolidated Fund, any Sum not exceeding in the whole Nine Hundred and Forty-five Thousand Pounds, to be placed to the Credit of the Commissioners for the Reduction of the National Debt to the Account of “The Commissioners for the Reduction of the National Debt on Account of Public Works Loan Fund for Ireland,” subject to the Proviso in such Act contained, to be held, subject to the Disposal of the Commissioners of Public Works in Ireland, for the Purposes of such Loans as therein mentioned: And whereas it is expedient to provide additional Funds for Loans for the Purposes for which Loans may be made under the said Act of the Second Year of Her Majesty^a: Be it enacted, therefore, by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of

12 & 13 Vic.
c. 86,
WORKHOUSE
LOANS ACT,
1849.

5 Vic.
Sess. 2, c. 9.

1 & 2 Vic.
c. 56.

9 & 10 Vic.
c. 80.

11 & 12 Vic.
c. 51.

1 & 2 Vic.
c. 56.

^a § 89, 90 of 1 & 2 Vic. c. 56 (p. 68-70). The provision for repayment of past loans advanced by the Public Works Loan Commissioners under this and the previous act is superseded by 16 & 17 Vic. c. 75, by which the Consolidated Annuities (in which these Loans were included, under 13 Vic. c. 14), have been altogether remitted and made a grant, from and after the dates referred to in § 1 & 2 of the former act; (see the acts, in p. 245 and p. 259).

12 & 13 Vic.
c. 86,
WORKHOUSE
LOANS ACT,
1849.

Monies
authorized
to be issued
under 11 &
12 Vic. c. 51,
to Board of
Works in
Ireland, may
be issued
to Public
Works Loan
Commission-
ers, for Loans
under this
Act.

£50,000 may
be advanced
by Public
Works Loan
Commission-
ers for Loans
under this
Act:

but Sums
advanced not
to exceed
Amount
received in
Repayment
of past Loans.
Commission-
ers may make
Loans for
building
Workhouses
in Ireland,
&c., in like
manner as
previous
Loans.

Act may be
amended,
&c.

the same, That it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Two or more of them, from Time to Time during the said Term of Three Years^a, to cause to be issued out of the growing Produce of the said Consolidated Fund, and placed to the Credit of the Commissioners for the Reduction of the National Debt, to the Account opened and continued at the Bank of *England* under the said Acts of the Sixth and Tenth Years of Her Majesty under the Title of "The Commissioners for the Reduction of the National Debt on account of the Public Works Loan Fund," for the Purpose of being applied by the said Public Works Loan Commissioners for Loans under this Act, such Part as the said Commissioners of Her Majesty's Treasury may think fit of the Money which under the said Act of the last Session of Parliament might be issued out of the said Consolidated Fund, and placed to the Account in such Act mentioned: Provided always, that the Sums issued under this Enactment and under the said Act of the last Session of Parliament, shall not together exceed the Amount which for the Time being might be issued under such Act.

2. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Two or more of them, to direct the Issue, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, of any Sum or Sums of Money not exceeding in the whole Fifty Thousand Pounds; such Sum or Sums to be placed to the Credit of the Commissioners for the Reduction of the National Debt, to the said Account intituled "The Commissioners for the Reduction of the National Debt, on account of the Public Works Loan Fund," and to be applied by the said Public Works Loan Commissioners for Loans under this Act: Provided always, that the Sums to be issued, as last aforesaid, shall not exceed the Amount of the Sums which after the passing of this Act may be from Time to Time received in Repayment of like Loans heretofore made by the said Public Works Loan Commissioners.

3. And be it enacted, That it shall be lawful for the said Public Works Loan Commissioners, out of the Monies authorized to be applied by them for Loans under this Act, to make Loans for building Workhouses in *Ireland*, and for the other Purposes for which Loans may be made under the said Act of the Second Year of Her Majesty^b; and the Loans to be made under this Act shall be made in the like Manner, and subject to the like Conditions and Provisions, as Loans for the same Purposes may be made out of the Monies now authorized to be applied by the same Commissioners for such Loans.

4. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

^a i.e., from 5th April 1848.

^b 1 & 2 Vic. c. 56, § 89, 90: and see note ^a in p. 68.

CONSOLIDATED ANNUITIES ACT.

13 VICT. CAP. 14.

13 VIC. c. 14,
CONSOLI-
DATED
ANNUITIES
ACT,
1850.
—

An Act to authorize a further Advance of Money to certain distressed Poor Law Unions, and to make Provision for the Repayment of Advances made and authorized to be made to Poor Law Unions and other Districts in Ireland.

[17th May 1850.]

PAST LOANS AND FURTHER ADVANCES FOR DISCHARGE OF DEBTS IN DISTRESSED UNIONS.

§ 1. WHEREAS under an Act of the Second Year of Her Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in Ireland*^a, an Act of the Fifth Year of Her Majesty to authorize the Advance of Money out of the Consolidated Fund, to a limited Amount for carrying on Public Works and Fisheries and Employment of the Poor, and to amend the Acts authorizing the Issue of Exchequer Bills for the like Purposes^b, an Act of the Tenth Year of Her Majesty to authorize the Advance of Money out of the Consolidated Fund for carrying on Public Works and Fisheries and Employment of the Poor, an Act of the Twelfth Year of Her Majesty to provide additional Funds for Loans for Drainage and other Works of Public Utility in Ireland^c, and an Act of the last Session of Parliament to provide additional Funds for Loans by the Public Works Loans Commissioners for building Workhouses in Ireland^d, Loans have been made by the Public Works Loan Commissioners to or on behalf of many Unions in Ireland, for the Purposes of building Workhouses and the other Purposes in relation to Workhouses in the first-recited Act mentioned^a, and other Loans may be made for the like Purposes under the Authority of the same Acts: And whereas under the Authority of an Act of the First Year of Her Majesty, intituled *An Act to amend the Acts for the Extension and Promotion of Public Works in Ireland*^e, and of an Act of the Ninth Year of Her Majesty, intituled *An Act for the further amendment of the Acts for the Extension and Promotion of Public Works in Ireland*^e, certain Advances were made by the Commissioners of Public Works

Workhouse
Loans:

1 & 2 Vic.

c. 56.

5 & 6 Vic.
c. 9.9 & 10 Vic.
c. 80.11 & 12 Vic.
c. 51.12 & 13 Vic.
c. 86.Public
Works'
Loans:
7 W. 4 &
1 Vic. c. 21.
9 & 10 Vic.
c. 1.^a 1 & 2 Vic. c. 56, § 89, 90 (p. 68-70).^b § 12 of the act here recited, 5 & 6 Vic. c. 9, related to the loans advanced for building workhouses under the Irish Poor Relief Act, 1 & 2 Vic. c. 56, and authorized further advances to be made for that and other purposes by the Public Works Loan Commissioners.^c p. 234.^d 12 & 13 Vic. c. 86 p. 242).^e The acts of 1837 and 1846, here referred to, authorized the issue of sums by the Treasury, to be advanced by the Board of Works in Ireland, partly by way of loan and partly as grant, for public works, as under the Public Works Act of 1 & 2 Wm. 4, c. 33, the moiety advanced by way of loan to be repaid out of County Cess, or by Grand Jury Presentment on the District concerned.

13 Vic. c. 14, CONSOLIDATED ANNUITIES ACT, 1850.	in Ireland for the Construction of Public Works, of which Advances under the Provisions of such Acts a Moiety was to be repaid, and was to be raised on the Counties at large, or the Baronies, Half Baronies, or other Divisions, in which such Works had been executed: And Whereas under an Act of the Tenth Year of Her Majesty, intituled <i>An Act to facilitate the Employment of the Labouring Poor for a limited Period in the distressed Districts in Ireland</i> ^a , considerable Sums of Money were advanced for the Execution of Public Works in Ireland; and under the Provisions of such Act, and of an Act of the Eleventh Year of
9 & 10 Vic. c. 107: (Labour Rate Act.)	Her Majesty, intituled <i>An Act to facilitate the Recovery of Public Monies advanced for the Relief of Distress in Ireland by the Employment of the Labouring Poor</i> ^b , and of the said
10 & 11 Vic. c. 87.	Act of the Twelfth Year of Her Majesty ^c , Annuities are charged upon several Baronies, Half Baronies, Electoral Divisions, and other Districts in Ireland in respect of Moieties of the several Sums advanced for the Execution of Works within the same: And whereas under
11 & 12 Vic. c. 51.	the Authority of an Act of the Tenth Year of Her Majesty, intituled <i>An Act for the temporary Relief of destitute Persons in Ireland</i> ^d , Advances were made by way of Loan to several Unions and Electoral Divisions in Ireland, out of the Public Monies, by the Relief Commissioners, and considerable Sums in respect of such Advances remain
10 Vic. c. 7: (Temporary Relief Act.)	unpaid: And whereas it is expedient to authorize an Advance of Public Money, to a limited Amount, to assist certain distressed Poor Law Unions and Electoral Divisions in Ireland in the Discharge of Debts incurred before the passing of this Act: And whereas it is expedient that the Debts due by certain Districts in Ireland in respect of the several Loans and Advances herein-before referred to should be consolidated, and that Provision should be made for the Repayment thereof by Annuities for Terms suited to the Circumstances of such Districts respectively: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners of Her Majesty's Treasury to cause to be issued from Time to Time, out of the growing Produce of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, any Sum or Sums of Money not exceeding in the whole Three hundred thousand Pounds, for Advances by way of Loan to the Guardians of the Poor of such of the Unions in Ireland as the said Commissioners of Her Majesty's Treasury shall think fit: and the Sums to be issued under the Authority of this Act shall be paid to the Commissioners for administering the Laws for the Relief of the Poor in Ireland, and shall be advanced by such last-mentioned Commissioners to the Guardians of such of the Unions
Further Advances to distressed Unions for discharge of Debts: Consolidation of Loans, and Repayment by Annuities.	
Treasury may issue £300,000 in Loans to Distressed Unions in Ireland:	
Sums so issued to be paid to Poor Law Commissioners, for Unions to be named:	

^a See p. 232. ^b p. 233. ^c 11 & 12 Vic. c. 51 (p. 234). ^d p. 234.

aforesaid, and paid to such Persons, and subject to such Conditions in respect of the Application thereof for or towards the Discharge of all or any of the Debts or Liabilities of such Unions, or of any Electoral Division of such Unions, contracted before the passing of this Act, as the said Commissioners of Her Majesty's Treasury shall think fit; and all Sums to be advanced as aforesaid, shall carry Interest at the Rate of Three Pounds per Centum per Annum from the respective Times of advancing the same; and, unless the same shall be repaid by way of Annuities, as herein-after mentioned, shall be repaid, with Interest as, aforesaid, by the Treasurers of the Unions on behalf of which the same shall have been advanced, out of any Monies which may be received by them in respect of Rates, at such Times and in such Manner as the said Commissioners of the Treasury shall direct.

13 VIC. c. 14,
CONSOLI-
DATED
ANNUITIES
ACT,
1850.

Interest on
Advances,
3 per cent.

Repayment.

CONSOLIDATION OF DEBTS AND LIABILITIES, AND CON- VERSION THEREOF INTO ANNUITIES*.

2. And be it enacted, That where the Commissioners of Her Majesty's Treasury think it expedient that the Debts and Liabilities of any of the several Unions and Electoral Divisions, Counties, Baronies, Half Baronies, Counties of Cities and Counties of Towns, and other Districts, in Ireland, in respect of the Loans and Advances of Public Money made under the Acts herein-before recited or any of them, and also in respect of any Loans for building Workhouses, and of any Advances under the Authority of this Act, which may have been made to or in behalf of any such Unions before the Time at which such Account as herein-after mentioned in relation to such Unions respectively shall be taken, should be consolidated and repaid as herein mentioned, it shall be lawful for such Commissioners to inquire into and cause to be ascertained the whole Amount of such Debts and Liabilities upon an Account taken in each Case up to such Time as they may think fit.

Where Treas-
ury consider
a consolida-
tion of the
Liabilities of
Union or
Districts ex-
pedient,
amount
thereof
to be in-
quired into
and ascer-
tained by
Treasury.

3. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, after such Inquiry as aforesaid, to adjust and fix the proportionate Amount which, if this Act had not been passed, would have been borne by each Townland or other Denomination or Place comprised in any such Union and Electoral Division, or in any such County, Barony, Half Barony, County of a City, County of a Town, or other District as aforesaid, in respect of all the Debts and Liabilities inquired into and ascertained as aforesaid, as well of the

Treasury
to fix pro-
portionate
amount of
Liabilities of
Districts
chargeable
on Town-
lands com-
prised
therein:

* A portion of the Consolidated Annuities under this act, was afterwards remitted under the Treasury Minute of 21 October 1851, confirmed by the act of 1852, 15 Vic. c. 16 (p. 253, 254); and the entire of these Annuities was subsequently remitted, from 30th September, 1852, and made a Grant, under the act of 1853, 16 & 17 Vic. c. 75 (p. 259).

13 VIC. c. 14,
CONSOLI-
DATED
ANNUITIES.

and to charge
same with an
annuity
equivalent
thereto:

but one
Annuity may
be charged on
an Electoral
Division in-
stead of
separate
Annuities on
Townlands
therein.

Periods of
Payment of
Annuities;

not to extend
over more
than Forty
Years.

Treasury to
transmit
Statements
of Annuities
chargeable
on any
Union, to
Poor Law
Commission-
ers;

who are to
issue an
Order to the
Guardians of
the Union
for payment
of the same.

Union and Electoral Division as of any such County, Barony, Half Barony, County of a City, County of a Town, or other District in which such Townland or other Denomination or Place is comprised; and to cause to be charged on such Townland or other Denomination or Place, an Annuity which they shall deem equivalent to such proportionate Amount: and where it appears to the Commissioners of Her Majesty's Treasury, after such Inquiry as aforesaid, that all the Townlands or other Denominations or Places comprised in any Electoral Division are liable to contribute to the Discharge of the same Debts and Liabilities, they may, if they see fit, instead of causing to be charged a separate Annuity on each such Townland, Denomination, or Place, cause to be charged on such Electoral Division One Annuity which they shall deem equivalent to the proportionate Amount which should be borne by all such Townlands, Denominations, or Places, in respect of all such Debts and Liabilities: and every Annuity to be charged under this Act shall commence in such Year, and be payable for such Number of Years, and on such Day in every Year during the Continuance thereof, as the said Commissioners of Her Majesty's Treasury shall think fit; and it shall be lawful for the Commissioners of Her Majesty's Treasury, if they so think fit, to direct that any Annuity for the Time being payable under this Act shall be converted into an Annuity payable on such yearly Days as aforesaid, but of a longer or shorter Duration, which shall appear to them to be of equal Value to the portion outstanding of the original Annuity; Provided that no such original Annuity, nor any such Annuity made payable after such Conversion as last aforesaid, be of longer Duration than Forty Years, computed from the Commencement of the original Annuity.

ASSESSMENT AND RESERVATION OF RATES FOR PAYMENT OF ANNUITIES^a.

4. And be it enacted, That when the Commissioners of Her Majesty's Treasury have ascertained the Annuities which should be charged on all or any of the Electoral Divisions, Townlands, and other Denominations and Places, if any, in any Union in Ireland, they shall transmit to the Commissioners for administering the Laws for the Relief of the Poor in Ireland, a Statement showing all the Annuities which should be so charged, and the Duration and Day of Payment thereof respectively; and the said last-mentioned Commissioners shall forthwith on the Receipt of such Statement issue an Order under their Seal, addressed to the Guardians^b of such Union, setting forth the Amount, Duration, and Day of Payment of the Annuity to be charged on each Electoral Division, Townland, and other Denomination and Place, if any, in such

^a See note ^a in p. 247.

^b Form of Order issued by Poor Law Commissioners to Guardians of Unions, from time to time, under this section, (in Part II. 5): but see note ^a in p. 249.

Union, and directing the Guardians of such Union to proceed in relation to every such Annuity according to the Provisions of this Act; and every such Annuity shall become so charged according to the Tenor of such Order: and such Guardians shall, in the first Rate to be made on the Electoral Division comprising the Townland or other Denomination or Place charged with any separate Annuity, after the yearly Day of Payment of such Annuity in every Year so long as such Annuity shall remain payable, assess and raise the yearly Sum payable in respect of the Annuity which, under such Order as aforesaid, is to be charged on such Townland or other Denomination or Place, by a Rate on the rateable Hereditaments comprised in such Townland or other Denomination or Place, in addition to the Rate made thereon for the general Purposes of the Electoral Division^a; and such Addition to the Rate shall be deemed to be Part of the Rates made upon and belonging to the Electoral Division, and shall be collected accordingly^a, and lodged with the Treasurer of the Union, to the Credit of such Electoral Division; and where One Annuity is charged on an Electoral Division, such Guardians shall provide for Payment thereof by Additions to the Rates from Time to Time made upon such Electoral Division.

13 Vic. c. 14,
CONSOLIDATED
ANNUITIES
ACT,
1850.

Guardians
thereafter to
provide for
payment of
the same by
Rates.

5. And be it enacted, That the said Commissioners for administering the Laws for the Relief of the Poor in Ireland shall, upon the Receipt of the Statement transmitted to them by the Commissioners of Her Majesty's Treasury^b, transmit to the Treasurer of every such Union an Order under their Seal^c setting forth the Amount payable on account of the Annuity to be charged on each Electoral Division, if any, of such Union, or, as the Case may require, the aggregate Amount payable on account of the Annuities to be charged on all the Townlands and

Poor Law
Commissioners
also to
transmit
order to
Treasurer of
Union:

^a See form of Rate and Instructions thereon, in which provision is made accordingly (in Part II. 6).

The Consolidated Annuities ascertained and fixed under the present act were however afterwards altogether remitted and made a Grant, under the act of 16 & 17 Vic. c. 75 (p. 259), from and after the 30th September 1852 in all cases. In some cases described in § 2 of that act, the payment of the Annuity for the previous year, ended on that date, or a part of it, was also remitted: and a portion of one year's annuity had been previously remitted in certain cases, under the Treasury Minute of 21st October 1851, and the act of 15 Vic. c. 16; but the remainder of the Annuities was payable up to the dates above referred to. In the Eighth Annual Report of the Commissioners of Irish Poor Law (dated 1st May 1855), it is stated in reference to this payment, that "Of the Government Annuities, only £11,063 remain at present outstanding; so that in the course of "a short time, this item may be expected to disappear from the "expenditure of the Irish Poor Rates."

^b § 4.

^c See form of Order issued by Poor Law Commissioners to Treasurers of Unions, from time to time, under this section (in Part II. 5): but see the above note^a.

13 VIC. c. 14,
CONSOLI-
DATED
ANNUITIES
ACT,
1850.

If Annuities
not sooner
paid, Trea-
surer to
reserve one-
third of all
Rates lodged,
for Payment
thereof.

Account to
be kept by
Treasurer.

Treasurer to
pay over
sums re-
served, to
Bank of Ire-
land:

to be carried
to the Con-
solidated
Fund.

Rate in Aid
to be paid
before An-
nuities under
this Act:

after pay-
ment of Rate
in Aid, re-
servation to
be made for
Annuities.

other Denominations and Places, if any, situate in each Electoral Division of such Union, and the yearly Day of Payment of such respective Annuities: and in case the Board of Guardians shall not sooner pay the same, the said Treasurer shall, from all Lodgments made with him from Time to Time of the first or any subsequent Rate or Rates on account of each such Electoral Division in the Union, after every yearly Day of Payment of such Annuities, reserve One equal Third Part thereof, and place the same to the Credit of the Electoral Division in an Account to be entitled the "Loans Repayment Account," until the aggregate Amount which shall become payable from Time to Time on account of the Annuity charged on such Electoral Division, or, as the Case may require, the Annuities charged on all the Townlands and other Denominations and Places, if any, in such Electoral Division, and all Arrears, if any, in respect to any previous Year or Years, shall have been received and placed to such Account as aforesaid: and the Treasurer of the Union shall pay over from Time to Time all Sums so reserved as aforesaid into the Bank of Ireland, to be there placed to a separate Account, in the Name of the Paymaster of Civil Services in Ireland, to be entitled the "Loans Repayment Account:" and all Sums from Time to Time paid into such Account as last aforesaid shall be carried to and form Part of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

6. Provided always, and be it enacted, That where any Sum leviable under the Provisions of an Act of the last Session of Parliament, intituled *An Act to make Provision, until the Thirty-First Day of December One Thousand eight hundred and fifty, for a General Rate in Aid of certain distressed Unions and Electoral Divisions in Ireland*^a, on any such Electoral Division as aforesaid, remains unpaid, the said One Third Part of such Lodgments as aforesaid with the Treasurer of the Union in respect of Rates on account of such Electoral Division, shall not be applied to any Payment in respect of Annuities under this Act, until the Sum leviable under the said Act of the last Session of Parliament is paid^b; but after Payment of the Sum so leviable, the One equal Third Part of all subsequent Lodgments in respect of such Rates as aforesaid shall be carried to the said Loans Repayment Account, and applied according to the Provisions of this Act, until the aggregate Amount of all the Sums which may have become due in respect of the said Annuities shall be discharged^c.

FUTURE LOANS, AND ADDITIONAL ANNUITIES FOR SAME.

In case of
future Loans,

7. And be it enacted, That in case, after any Annuity

^a 12 & 13 Vic. c. 24, Rate in Aid Act, (p. 239).

^b The whole of the Rate in Aid, under the act referred to, has been paid; see note ^b in p. 240.

^c See note ^a in p. 249.

shall have been charged under the Provisions of this Act on any Electoral Division, Townland, or other Denomination or Place, any Loan shall be made for building Workhouses, or other Purposes in relation to Workhouses, under the Acts herein-before mentioned, or any Advance shall be made under the Authority of this Act to the Union in which such Electoral Division, Townland, or other Denomination or Place shall be comprised, it shall be lawful for the Commissioners of Her Majesty's Treasury to make an Addition to such Annuity proportioned to the Share of such Loan or Advance which should be borne by such Electoral Division, Townland, or other Denomination or Place; and when such Commissioners shall make such Addition as aforesaid, and when they shall think fit to convert any Annuity or Annuities for the Time being charged under this Act into an Annuity or Annuities of longer or shorter Duration, such Commissioners shall transmit a Statement of the Annuity or Annuities increased by such Addition as aforesaid, or which should be charged under such Conversion upon all or any of the Electoral Divisions, Townlands, or other Denominations or Places, in any Union in Ireland, to the said Commissioners for administering the Laws for the Relief of the Poor in Ireland; and the last-mentioned Commissioners shall issue like Orders under their Seal to the Guardians of the Union and to the Treasurer of the Union respectively as herein-before directed^a in respect of the Annuities originally charged under this Act: and all the Provisions of this Act in relation to the Annuities originally charged under this Act, and the Rates to be made in respect thereof, and the Payment of such Annuities, shall apply to the Annuities increased by such Addition as aforesaid, or to be charged upon such Conversion as aforesaid.

13 VIC. c. 14,
CONSOLIDATED
ANNUITIES
ACT,
1850.

Treasury
may make
Additions to
previous
Annuities:

On receipt of
statement
thereof from
Treasury,
Poor Law
Commission-
ers to issue
orders as in
case of pre-
vious An-
nuities.

SUSPENSION OF REPAYMENT OF FORMER WORKHOUSE LOANS, &C., WHEN PROCEEDINGS TAKEN UNDER THIS ACT.

8. And be it enacted, That where the Commissioners of Her Majesty's Treasury think fit that any Inquiry should be made under this Act^b in relation to the Debts and Liabilities of any Union, Electoral Division, County, Barony, Half Barony, County of a City, or County of a Town, or other District in Ireland, for the Purposes of this Act, it shall be lawful for the said Commissioners to authorize and direct the Public Works Loan Commissioners to forbear to require or enforce Payment of any Instalment which may become payable from any such Union in respect of any Loan made by such Public Works Loan Commissioners, as herein-before mentioned: and where, in respect of any such Debts or Liabilities,

Treasury
may suspend
proceedings
for Recovery
of Work-
house Loans
and Levies
under Grand
Jury Pre-
sentments,
on proceed-
ings being
taken under
this Act.

^a § 4, 5.

^b § 2.

13 VIC. c. 14,
CONSOLI-
DATED
ANNUITIES
ACT,
1850.

Suspension
of proceed-
ings for levy
of money
under Grand
Jury Present-
ment, on
proceedings
being taken
under this
Act.

Money is under the Acts herein-before recited or any of them to be raised in such County, Barony, Half Barony, County of a City, County of a Town, or other District, by Grand Jury Presentment, or under the Warrant or Warrants of the Treasurer of the County, County of a City, or County of a Town, or the Finance Committee, it shall be lawful for the Commissioners of Her Majesty's Treasury, by Order directed to the Treasurer of the County, County of a City, or County of a Town in which or in any District within which such Money is to be raised, or, in the Case of the County of Dublin, by Order addressed to the Finance Committee of such County, to authorize such Grand Jury and Treasurer or Finance Committee, as the Case may be, to suspend the raising and levying of any Monies which should be raised and levied in respect of such Debts and Liabilities as aforesaid by Grand Jury Presentment at, or by Warrant of such Treasurer or Finance Committee after, the Spring Assizes or Presenting Term of the Year One thousand eight hundred and fifty, or any subsequent Assizes or Presenting Term; and where any such Order shall be so directed by the said Commissioners of Her Majesty's Treasury to such Treasurer or Finance Committee of any County, County of a City, or County of a Town, no Grand Jury Presentment shall, after the Receipt of such Order, be made in relation to the Monies in such Order mentioned, nor shall such Treasurer or Finance Committee insert in his or their Warrant or Warrants any such Monies, or issue any separate Warrant or Warrants for the same, whether any Presentment shall or shall not have been made in relation thereto; and in case before the passing of this Act, or before the Receipt of such Order of the Commissioners of Her Majesty's Treasury, any separate Warrant of such Treasurer or Finance Committee for any such Monies, or any Warrant of such Treasurer or Finance Committee including such Monies, shall have been issued after the Spring Assizes or Presenting Term of the Year One thousand eight hundred and fifty, such Treasurer or Finance Committee shall issue to the respective High Constables and Collectors of Grand Jury Cess whom it may concern, Orders, as the Case may require, revoking such separate Warrant, or directing such High Constables or Collectors respectively to abate and abstain from collecting such Part of the Sum for which any Warrant may have been so issued, as may have been inserted therein in respect of Monies mentioned in the said Order of the Commissioners of Her Majesty's Treasury, specifying, as to the respective Townlands and Districts, the respective Amounts of the Abatement to be made; and such High Constables and Collectors shall proceed in accordance with such Orders: Provided always, that all Instalments of any Workhouse Loan, and all Monies of which the Recovery, Levying, and Raising respectively shall be suspended as aforesaid, and all Arrears (if any) in respect of the same Debts and Liabi-

lities, shall be included in the Account to be taken as aforesaid^a of the Debts and Liabilities of the County, County of a City, County of a Town, Barony, Half Barony, Union, Electoral Division, or other District in which the same would have been levied and raised if this Act had not been passed.

13 VIC. c. 14,
CONSOLIDATED
ANNUITIES
ACT,
1850.

9. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

Act may be
amended, &c.

CONSOLIDATED ANNUITIES PARTIAL REMISSION,—1851-2.

The following is a Copy of the Minute of the Lords Commissioners of Her Majesty's Treasury, referred to in the subsequent Act of 15 Vic. c. 16 (p. 254).

COPY OF TREASURY MINUTE, dated the 21st October, 1851, authorizing the Treasurers of Unions to retain, pending the Decision of Parliament, certain Sums which should otherwise have been paid over to the Paymaster of Civil Services, under the Act 13 Vic. c. 14^b.

15 VIC. c. 16,
ANNUITIES
AMENDMENT
ACT,
1852.

MY LORDS have had under their consideration the Memorials which have been received from many Unions in Ireland, in reference to the Consolidated Annuities charged upon them under the Act 13 Vic. c. 14^b, stating various grounds upon which Relief is sought, in some cases, from any Repayment of the Annuities, but more generally urging a Postponement of payment.

Remission of
portion of
Annuities.

My Lords are of opinion that the present state of the greater part of Ireland does not call for any Relief from the operation of the Act; and it must be borne in mind that these Annuities are payable in respect of Loans which have or ought to have been in course of repayment, that the terms of repayment have been rendered easier by the extension of the period, and that the whole of Ireland has been exempted from any payment on this account during the past year.

My Lords, however, cannot doubt that there are Districts in which relief must be given.

In the case of those districts, for instance, where the local resources are insufficient to meet the Ordinary Expenditure for the relief of the poor, and where it is necessary to have recourse to assistance from the Rate-in-Aid Fund for this purpose, it cannot be expected that further sums for the payment of the Consolidated Annuities can be raised.

^a § 2.

^b Consolidated Annuities Act, 1850 (p. 245).

15 VIC. c. 16,
ANNUITIES
AMENDMENT
ACT,
1852.

With regard to Postponement, my Lords are of opinion that such a course would only tend to prolong a feeling of uncertainty as to future payments.

It is a great object to restore confidence to the owners and occupiers of land in the distressed districts in Ireland; and, with this view, the demands of the Government ought to be definite both in amount and also in time.

My Lords think, therefore, that Remission of payment, either altogether or to a certain extent, according to the circumstances of each district, is far preferable to postponing the payments; but the sanction of Parliament must be obtained before any definite measure for this purpose can be carried into effect.

It is the intention of Her Majesty's Government to submit a measure to Parliament with this object early next Session.

In the meantime, my Lords are prepared to adopt the following course in anticipation of the measure to be submitted to Parliament:—

Where the ordinary expenditure for Relief of the poor amounts to 4s. in £, for the year, Treasurer of Union not required to pay Annuities:

Where the Annuities and ordinary Relief expenditure amount to more than 4s. in £, to pay a portion only, up to 4s.

The Poor Law Commissioners in Ireland are authorized to direct the Treasurer of any Union in Ireland to retain in his hand, any sum which he may have received from or on account of any Electoral Division in which the Expenditure for the Relief of the Poor in the Year ending 29th September, 1851, has amounted to Four Shillings in the Pound on the Valuation then in force, and not to pay over to the Paymaster of Civil Services in Ireland the Annuity due from such Electoral Division for the current year; and where the Annuity for the current Year, added to such Expenditure, amounts, for any Electoral Division, to a sum exceeding Four Shillings in the Pound on such Valuation, to pay over to the Paymaster of Civil Services such Sum only, in respect of the Annuity, as, together with the charge for Relief of the Poor in the past Year, will amount to Four Shillings in the Pound, and to retain the remainder in his own hands.

Her Majesty's Government will propose to Parliament that the sum so retained in respect of the Annuities due for the current year shall be entirely remitted.

15 VIC. c. 16,
ANNUITIES
PARTIAL
REMISSION
ACT,
1852.

15 VICT. CAP. 16.

An Act to amend the Acts relating to the Repayment of Advances made to Districts in *Ireland*.

[28th May 1852.]

13 & 14 Vic.
c. 14.

WHEREAS under the Provisions of an Act passed in the Thirteenth Year of Her Majesty, intituled *An Act to authorize a further Advance of Money to certain distressed Poor Law Unions, and to make Provision for the Repayment of Advances made and authorized to be made to Poor*

Law Unions and other Districts in Ireland^a, and by several Orders under the Seal of the Commissioners for administering the Laws for Relief of the Poor in *Ireland*, Annuities have been charged on several Electoral Divisions, Townlands, and other Denominations and Places in several Unions in *Ireland*: And whereas, upon Representations contained in Memorials from many Unions in *Ireland* of the Pressure upon the local Resources of several Electoral Divisions on account of the necessary Expenditure for the Relief of the Poor, and in anticipation of a Measure to be submitted to Parliament, the Commissioners of Her Majesty's Treasury, by a Minute^b dated the Twenty-first Day of *October* One thousand eight hundred and fifty-one, authorized the said Poor Law Commissioners in *Ireland* to direct the Treasurer of any Union in *Ireland* to retain in his Hand any Sum which he might have received from or on account of any Electoral Division in which the Expenditure for the Relief of the Poor in the Year ending the Twenty-ninth Day of *September* One thousand eight hundred and fifty-one had amounted to Four Shillings in the Pound on the Valuation then in force, and not to pay over to the Paymaster of Civil Services in *Ireland* the Annuity due from such Electoral Division for the current Year; and where the Annuity for the current Year, added to such Expenditure, amounted, for any Electoral Division, to a Sum exceeding Four Shillings in the Pound on such Valuation, to pay over to the Paymaster of Civil Services such Sum only in respect of the Annuity, as, together with the Charge for Relief of the Poor in the past Year, would amount to Four Shillings in the Pound, and to retain the Remainder in his own Hands: And whereas it is expedient that the Directions contained in the said Minute of the Commissioners of the Treasury should be confirmed, and that the Sums retained in respect of Annuities should be remitted: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That—

1. The said Minute of the Commissioners of Her Majesty's Treasury^b shall be valid; and the Commissioners for administering the Laws for the Relief of the Poor in *Ireland*, and the Treasurers of Unions, and others, who may have acted in pursuance of the Directions of the said Minute, shall be acquitted and saved harmless, in respect of their Acts in pursuance of the said Minute; and all such Sums as are by the said Minute and the Directions of the Commissioners for administering the Laws for Relief of the Poor in *Ireland* (in pursuance of such Minute), authorized to be retained in the Hands of the several Treasurers of Unions in *Ireland* to which such

15 Vic. c. 16,
ANNUITIES
PARTIAL
REMISSION
ACT,
1852.

Where ordinary Expenditure for relief of the poor amounts to 4s. in £, for the Year, Treasurer of Union not required to pay over Annuities.

Where the Annuities and ordinary relief expenditure amount to more than 4s. in £, to pay a portion only, up to 4s.

Treasury Minute of 21st Oct. 1851 confirmed.

^a 13 Vic. c. 14, Consolidated Annuities Act, 1850 (p. 245). ^b p. 253.

15 VIC. c. 16,
ANNUITIES
PARTIAL
REMISSION
ACT,
1852.

Remission of
amounts re-
tained under
the Treasury
Minute^a.

Orders of
Poor Law
Commis-
sioners,
amending
previous
Orders
founded on
erroneous
Valuations
of Property
confirmed.

Power to
Treasury
to cause
erroneous
Charges to
be corrected.

Minute and Directions relate. shall be carried by such respective Treasurers to the Credit of the several Electoral Divisions from the Rates of which such Sums may have been or may be reserved; and the Sums payable in the Year One thousand eight hundred and fifty-one, in respect of the Annuities mentioned in such Minute and Directions, where the Treasurers under the Terms of such Minute and Directions are not to pay over to the Paymaster of Civil Services any Part thereof, and the Parts of the Sums so payable which the Treasurers were authorized to retain where they were authorized to retain Parts only thereof, shall be remitted, and deemed to be discharged without further Payment^a.

2. And whereas, in some Cases, the Amount of Annuity charged upon Electoral Divisions, Townlands, or other Denominations, by Orders under the Seal of the Commissioners for administering the Laws for Relief of the Poor in *Ireland*, under the Provisions of the said recited Act^b, exceeded and in other Cases was less than the Proportion of the consolidated Liabilities which ought to have been charged on such Electoral Divisions, Townlands, or other Denominations, such Proportion having been calculated upon Returns of the net annual Value of the Property rated for the Relief of the Poor according to the Valuation which was in force at the Date of the passing of the said Act, which Returns were afterwards found to be erroneous; and the said last-mentioned Commissioners have, under the Directions of the Commissioners of Her Majesty's Treasury, issued further Orders under their Seal amending the Orders originally issued in relation to such Electoral Divisions, Townlands, or other Denominations as aforesaid:

Such last-mentioned Orders shall be and are hereby declared to be as valid and effectual as if the Amendments thereby declared to be made had formed Part of the Orders originally issued to such Unions under the Provisions of the said Act, although the total Amount of the Annuities payable by or from the Union in which such Electoral Divisions, Townlands, or other Denominations are comprised may be altered by such amending Orders.

3. If it shall hereafter appear to the said Commissioners of Her Majesty's Treasury, that through Error in the Returns which were adopted as the Basis of the Apportionment of the said consolidated Debts or Liabilities, or by reason of any other Cause shown to the Satisfaction of the said Commissioners, any Electoral Division, Townland, or other Denomination shall be charged with a greater or less Proportion of the said consolidated Debts

^a The Consolidated Annuities have since been entirely remitted from and after 30th September 1852, and in certain cases for the year previous to that date, by the subsequent act of 1853, 16 & 17 Vic. c. 75 (p. 259).

^b 13 Vic. c. 14, § 4, 5 (p. 248-9).

and Liabilities than that with which it shall appear to the Commissioners of Her Majesty's Treasury such Electoral Division, Townland, or other Denomination is justly chargeable, it shall be lawful for the said Commissioners of Her Majesty's Treasury to cause such Proportion to be re-calculated, and the Annuity previously charged in respect thereof to be altered as to the said Commissioners of Her Majesty's Treasury shall seem just; and the Commissioners for administering the Laws for Relief of the Poor in *Ireland*, upon receiving from the said Commissioners of Her Majesty's Treasury a Statement of the Annuities which should be charged upon any Townland or Electoral Division in lieu of the Annuities previously charged thereon, shall issue an Order under their Seal amending and altering any Order previously issued by them in respect to the Amount, Duration, or Day of Payment of the Annuities previously charged on the several Electoral Divisions, Townlands, or other Denominations, and Places, as the said Commissioners of Her Majesty's Treasury may direct.

15 VIC. c. 16,
ANNUITIES
PARTIAL
REMISSION
ACT,
1852;
—

4. In any Case in which a Rate or Rates shall have been made, containing or including Provision for Payment of the Annuity charged upon any Electoral Division, Townland, or other Denomination, previously to the Issue of such last-mentioned Orders of the said Commissioners for administering the Laws for Relief of the Poor in *Ireland*, it shall be lawful for the said Commissioners of Her Majesty's Treasury to direct that such Adjustment and Indemnification of the Electoral Division, Townland, or other Denomination so erroneously charged, shall be made, as the Circumstances of the Case may, after due Inquiry and Examination, appear to require; and the said Commissioners for administering the Laws for Relief of the Poor in *Ireland* shall issue under their Seal such Order or Orders, addressed to the Guardians of the Union in which such Electoral Division, Townland, or other Denomination may be situated, providing for such Adjustment or Indemnification, by reducing or increasing the Amount of the then next or of any subsequent Payment or Payments of the Annuity chargeable on any such Electoral Division, Townland, or other Denomination, as the said Commissioners of Her Majesty's Treasury shall direct and approve.

Poor Law
Commission-
ers may
cause Ad-
justments to
be made for
the Indemni-
fication of
Electoral
Divisions,
&c. who may
have paid
more than
their due
Proportion
of Charges.

5. It shall be lawful for the said Commissioners for administering the Laws for Relief of the Poor in *Ireland* to rescind any Order under their Seal which shall have been issued by them in pursuance of the Provisions of the said Act or of this Act, and to receive and act upon the further Directions of the said Commissioners of Her Majesty's Treasury in respect of any Matter contained in the said Order; and every such Order which shall have been rescinded by them before the passing of this Act shall be deemed to have been as duly rescinded as if this Act had then been passed.

Power to
Poor Law
Commis-
sioners to
rescind
Orders, and
act upon
further
Directions of
the Treasury.

GRANT IN AID OF RATE-IN-AID.

15 & 16 Vic.

15 & 16 VICT. CAP. 68.

c. 68,
FINES
APPROPRIA-
TION TO
DISTRESSED
DISTRICTS,
1852.

An Act for the Application of certain Money accrued from Fines and Forfeitures in *Ireland*, in Aid of certain distressed Unions and Electoral Divisions in that Country.

[30th June 1852.]

1 & 2 Vic.
c. 99.

WHEREAS by an Act passed in the Second Year of Her Majesty, intituled *An Act for the more effectual levying of Fines, Penalties, Issues, Deodands, and Amerciaments, and of Forfeited Recognizances estreated, in Ireland, and for the Application and Distribution thereof*, the Amount to be received as in the said Act mentioned, in respect of Fines, Penalties, Issues, Deodands, Amerciaments, and forfeited Recognizances, was directed to be lodged in the Bank of *Ireland*, or in some Branch Bank thereof, to the Credit of the Paymaster of Civil Services in *Ireland*, in an Account to be entitled in the Matter of that Act, and it was thereby enacted, that it should be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* in Council, so long as the Hereditary Revenues of the Crown should not be payable and paid to Her Majesty, Her Heirs and Successors, to direct from Time to Time that all or any Part of the Sums paid to the Bank of *Ireland* under the Provisions of that Act, and not already appropriated by any Act or Acts to any special Purpose, should be paid to and distributed as therein mentioned: And whereas by an Act of the Session holden in the Sixth and Seventh Years of Her Majesty, Chapter Fifty-six, the said Act of the Second Year of Her Majesty was repealed, save as to any Act, Matter, or Thing theretofore done by virtue thereof, and also save and except as to any Fines, Penalties, Deodands, Amerciaments, Recognizances, and Issues which might have been imposed, estreated, or levied at any Time previous to the passing of the Act now in recital: And whereas a Sum of Twelve thousand three hundred and seventy-four Pounds Eighteen Shillings and Elevenpence, the unapplied Balance of the Monies lodged in the Bank of *Ireland* under the Provisions of the said Act of the Second Year of Her Majesty, remains in the Bank of *Ireland* to the Credit of the Paymaster of Civil Services in *Ireland*, in the Account directed by that Act: And whereas it is expedient that the

6 & 7 Vic.
c. 56.

£12,374
18s. 11d.

said Sum should be applied in aid of certain distressed Unions and Electoral Divisions in *Ireland*: Be it enacted, therefore, by the Queen's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. It shall be lawful for the Commissioners of Her Majesty's Treasury to order all or any Part of the said Sum standing to such Credit as aforesaid in such Account as aforesaid to be transferred from the said Account to the Credit of the said Paymaster of Civil Services in the General Rate in Aid Account opened under the Act of the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter Twenty-four^a; and the Governor and Company of the Bank of *Ireland* shall transfer the same accordingly: and thereupon the Money so transferred shall and may be paid, applied, and disposed of, under Orders of the Commissioners of Her Majesty's Treasury, for the Purposes and in the Manner provided by such last-mentioned Act^b concerning Money standing to such last-mentioned Account.

15 & 16 Vic.
c. 68,
FINES
APPROPRIA-
TION TO
DISTRESSED
DISTRICTS,
1852.

The above
unapplied
Balance to be
transferred to
General
Rate in Aid
Account:
and to be
applied,
under direc-
tion of the
Treasury, to
purposes of
the Rate in
Aid.

CONSOLIDATED ANNUITIES REMISSION ACT—1853.

16 & 17 VICT. CAP. 75.

An Act for the Remission of the Consolidated Annuities charged upon Districts in *Ireland*.

[15th August 1853.]

16 & 17 Vic.
c. 75,
CONSOLI-
DATED
ANNUITIES
REMISSION
ACT,
1853.

WHEREAS by an Act of the Thirteenth Year of Her Majesty, "to authorize a further Advance of Money to certain distressed Poor Law Unions, and to make Provision for the Repayment of Advances made and authorized to be made to Poor Law Unions and other Districts in *Ireland*," the Commissioners of Her Majesty's Treasury were empowered, where they thought it expedient that the Debts and Liabilities of any of the several Unions and Electoral Divisions and other Districts in *Ireland* in respect of the Loans and Advances of Public Money made under several Acts therein recited, and also in respect of any Loans for building Workhouses, and of any Advances under the Authority of the Act now in re-

Act of 1850;
13 & 14 Vic.
c. 14.

^a 12 Vic. c. 24, Rate-in-Aid Act, 1849, § 2 (p. 240).

^b 12 Vic. c. 24, § 3 (p. 240).

^c 13 & 14 Vic. c. 14, Consolidated Annuities Act, 1850 (p. 245).

16 & 17 Vic.
c. 75,
CONSOLI-
DATED
ANNUITIES
REMISSION
ACT,
1853.

13 & 14 Vic.
c. 14.

15 Vic. c. 16:
Remission of
Annuities
payable in

recital, should be consolidated and repaid as therein mentioned. to inquire into and cause to be ascertained the whole Amount of such Debts and Liabilities upon an Account taken, up to such Time as they might think fit; and the said Commissioners were thereby empowered, after such Inquiry, to adjust and fix the proportionate Amount which would have been borne by each Townland or other Denomination or Place comprised in any such Union, Electoral Division, or other District, and to cause to be charged on such Townland or other Denomination or Place an Annuity which they should deem equivalent to such proportionate Amount, or (in such Cases as therein mentioned) instead of causing to be charged separate Annuities on the several Townlands, Denominations, or Places in any Electoral Division, to cause to be charged One Annuity on such Electoral Division; and every Annuity to be charged under the Act now in recital was to commence in such Year, and be payable for such Number of Years and on such Day in every Year, as the said Commissioners should think fit; and it was thereby provided, that in case the Board of Guardians should not sooner pay the same, the Treasurer of every Union in *Ireland* should, from all Lodgments made with him, from Time to Time, of the first or any subsequent Rate or Rates on account of each such Electoral Division in the Union, after every yearly Day of Payment of such Annuities, reserve One equal Third Part thereof, and place the same to the Credit of the Electoral Division in an Account to be entitled the "Loans Repayment Account," until the aggregate Amount which should become payable from Time to Time on account of the Annuity charged on such Electoral Division, or, as the Case might require, the Annuities charged on all the Townlands and other Denominations and Places, if any, in such Electoral Division, and all Arrears, if any, in respect of any previous Year or Years, should have been received and placed to such Account as aforesaid; and that the Treasurer of the Union should pay over from Time to Time all Sums so reserved as aforesaid into the Bank of *Ireland*, to be there placed to a separate Account in the Name of the Paymaster of Civil Services in *Ireland*, to be entitled the "Loans Repayment Account:" And whereas the said Commissioners, in pursuance of the Provisions of the said recited Act, caused to be ascertained the Amounts of the said Debts and Liabilities of the several Unions and Electoral Divisions and other Districts in *Ireland*, up to the Thirtieth Day of *September* One thousand eight hundred and fifty, and caused to be charged in respect thereof on Electoral Divisions, or the Townlands and other Districts therein, Annuities herein-after referred to as Consolidated Annuities: And whereas under the Act of the last Session of Parliament, Chapter Sixteen^a, the Sums or Parts of the Sums payable in the Year One thousand

^a 15 Vic. c. 16, Annuities Partial Remission Act, 1852 (p. 254).

eight hundred and fifty-one, in respect of the Consolidated Annuities charged on certain Electoral Divisions, or the Townlands or other Districts therein, have been remitted, on account of the Pressure upon the local Resources of such Electoral Divisions, of the necessary Expenditure for the Relief of the Poor: And whereas it is expedient that the said Consolidated Annuities payable in respect of the Year commencing from the Thirtieth Day of *September* One thousand eight hundred and fifty-two, and in respect of all subsequent Years, be remitted; and that, on account of the continuing Pressure of the Expenditure for the Relief of the Poor in certain Electoral Divisions, the Sums or Parts thereof herein-after mentioned, payable in respect of the Year ending on the said Thirtieth Day of *September* One thousand eight hundred and fifty-two, should also in the Cases herein-after mentioned be remitted: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. All the said Consolidated Annuities charged under the said Act of the Thirteenth and Fourteenth Years of Her Majesty* shall be deemed to have ceased as from the Thirtieth day of *September* One thousand eight hundred and fifty-two; and all Sums which have accrued due in respect of Payments of the said Annuities subsequent to the Thirtieth Day of *September* One thousand eight hundred and fifty-two, or which if this Act had not been passed would hereafter become due in respect of such Annuities, shall be remitted and deemed to be discharged without further Payment; and where any Sums payable in respect of the Year commencing from the said Thirtieth Day of *September* One thousand eight hundred and fifty-two, have been already paid by the Treasurer of any Union to the said Account standing in the Name of the Paymaster of Civil Services in *Ireland*, it shall be lawful for the Commissioners of Her Majesty's Treasury to cause the said Paymaster of Civil Services in *Ireland* to repay the said Sums so paid to the said Account to the Treasurers of the several Unions in *Ireland* from whom the same shall have been received: and all Sums which may have been or ought to have been reserved by the Treasurer of any Union on account of any Payment hereby remitted of the Annuity charged on such Electoral Division, or of the Annuities charged on Townlands and other Denominations and Places therein, and which shall not have been paid over to the said Account in the Name of the Paymaster of Civil Services, and all such Sums which shall have been so paid over and shall be repaid by the Paymaster of Civil Services to such Treasurers as aforesaid, shall be carried by such Treasurers to the Credit of

16 & 17 Vic.
c 75,
CONSOLIDATED
ANNUITIES
REMISSION
ACT,
1853.

1851, in certain cases:
Further remission after 30th Sept. 1852, and year then ended in certain cases.

All Sums payable in respect of Consolidated Annuities for the Year commencing from 30th Sept. 1852, and all subsequent Years, remitted:

Repayment of Sums paid for year commencing 30th Sept. 1852.

Sums so repaid or reserved by Treasurers for payment of Annuities from the above date, to be credited to respective Electoral Divisions.

* 13 & 14 Vic. c. 14 (p. 245).

16 & 17 Vic.
c. 75,
CONSOLI-
DATED
ANNUITIES
REMISSION
ACT,
1853.

Annuities
payable in
year ended
30th Sept.
1852 may be
remitted, in
whole or in
part, in dis-
tressed Dis-
tricts, where
the expendi-
ture for cur-
rent relief of
the poor
amounted to
4s. in the
pound.

of the Electoral Division from the Rates of which such Sums may have been reserved or lodged.

2. In any Case where the Commissioners for administering the Laws for the Relief of the Poor in *Ireland* shall ascertain and report to the Commissioners of Her Majesty's Treasury, that the Expenditure for the Relief of the Poor and for the Medical Relief of poor Persons under an Act^a passed in the Session of Parliament holden in the Fourteenth and Fifteenth Years of Her present Majesty, Chapter Sixty-eight, in any Electoral Division in *Ireland* for the Year ending on the Twenty-ninth Day of *September* One thousand eight hundred and fifty-two, amounted to Four Shillings in the Pound or upwards on the Valuation then in force, it shall be lawful for the Commissioners of Her Majesty's Treasury to remit the whole of the Sum payable in respect of such Year on account of any Annuity or Annuities as aforesaid, charged on such Electoral Division or on any District or Districts therein; and in case the said Commissioners for administering the Laws for the Relief of the Poor shall ascertain and report as aforesaid that the Expenditure aforesaid in any such Electoral Division in the said Year ending on the said Twenty-ninth Day of *September* One thousand eight hundred and fifty-two, did not amount to the Sum of Four Shillings in the Pound on such Valuation, but amounted to such a Sum as, with the Payment to be made in respect of such Year on account of the Annuity or Annuities charged as aforesaid on such Electoral Division, or on the District or Districts therein, would exceed the Sum of Four Shillings in the Pound on such Valuation, it shall be lawful for the said Commissioners of Her Majesty's Treasury to remit such Portion of the Sum payable in respect of such Annuity or Annuities as will reduce the aggregate Amount of such Expenditure, and of the Payment on account of such Annuity or Annuities, to such Sum of Four Shillings in the Pound on such Valuation, and to authorize the said Commissioners for administering the Laws for the Relief of the Poor to issue an Order under their Seal to the Treasurers of the several Unions, specifying the Sums and Portions of Sums so remitted in respect of the said Annuities: and all Sums which have been or ought to have been reserved by the Treasurer of any Union out of the Rates of any Electoral Division on account of any Sum or Portion of a Sum so remitted shall be carried by such Treasurer to the Credit of the Electoral Division from the Rates of which the same may have been reserved.

^a Dispensaries Act, 14 & 15 Vic. c. 68 (p. 207).

3.—PROVISIONS OF OTHER STATUTES,

CONNECTED WITH OR REFERRED TO IN

THE IRISH POOR RELIEF ACTS,

OR RELATING TO THE

FUNCTIONS OF OFFICERS APPOINTED UNDER THOSE ACTS.

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PROVISIONS OF STATUTES

CONNECTED WITH OR REFERRED TO IN

THE IRISH POOR RELIEF ACTS, &c.

HOUSES OF INDUSTRY DEBTS AND SALE.

4 & 5 VICT. CAP. 41.

An Act to provide for the Payment of Debts, Charges, and Incumbrances affecting Houses of Industry and Workhouses, and of Advances made, conformably with previous Usage, for the lawful Purposes of such Houses of Industry and Workhouses, in certain Cases, in *Ireland*.
[21st June 1841.]

4 & 5 VIC.
c. 41,
HOUSES OF
INDUSTRY,
&c. ACT,
1841.

§ 1. 'WHEREAS by an Act passed in the Parliament of *Ireland* in the Eleventh and Twelfth Years of the Reign of His late Majesty King George the Third, intituled *An Act for badging such Poor as shall be found unable to support themselves by Labour, and otherwise providing for them, and for restraining such as shall be found able to support themselves by Labour or Industry, from Begging*, Provision was made for the Establishment of Houses of Industry for the several Counties, Counties of Cities, and Counties of Towns, in *Ireland*, and for the Maintenance and Support thereof, by means of Presentments to be made by the respective Grand Juries of such Counties, Counties of Cities, and Counties of Towns: And whereas by another Act passed in the said Parliament of *Ireland*, in the Twenty-seventh Year of the Reign of His said Majesty King George the Third, to explain and amend the said first-recited Act, it was enacted, that whenever any County should not have provided a House of Industry in such County, it should be lawful for the Grand Jury of such County to make Presentments for the Purposes of the House of Industry in the next adjoining County of a City or County of a Town, as if such House of Industry was situate in the said County at large, and that during such Time as the said Presentments should be made and paid, such House of Industry should be considered to all Intents and Purposes the House of Industry for the Use of the said County

11 & 12 G. 3,
c. 30 (*Ireland*).

27 G. 3, c. 41
(*Ireland*).

4 & 5 Vic.
c. 41,
HOUSES OF
INDUSTRY,
&c. ACT,
1841.

1 & 2 Vic.
c. 56.

‘as well as of the said County of a City or County of a Town:
‘And whereas divers Houses of Industry were accordingly
‘established, and Presentments made by the Grand Juries
‘of certain Counties at large for the Purposes of Houses
‘of Industry situate in certain adjoining Counties of
‘Cities and Towns: And whereas by an Act passed in
‘the First and Second Years of the Reign of Her present
‘Majesty, intituled *An Act for the more effectual Relief of
‘the destitute Poor in Ireland*, it was enacted^a, that, when
‘any Union should have been declared, every House of
‘Industry, Workhouse, and Foundling Hospital which
‘had been either wholly or in part supported by Parlia-
‘mentary Tax, Grant, Grand Jury Aid, or by any com-
‘pulsory Rate or Contribution, situate within the Limits
‘of such Union, and all Lands, Tenements, and Here-
‘ditaments, and Real Property, and Chattels Real, and
‘the Produce of any Tax of and belonging thereto, should
‘vest in the *Poor Law Commissioners*^b for the Time being,
‘subject to the Debts, Charges, and Incumbrances
‘affecting the same respectively, and to the Repayment
‘of any Advances which, conformably with previous
‘Usage, had been made for the lawful Purposes of any such
‘House of Industry, Workhouse, or Foundling Hospital;
‘and it was thereby further enacted^c, that it should be
‘lawful for the said *Poor Law Commissioners*^b for the
‘Time being, when they should so think fit, to sell any
‘Lands, Tenements, or Hereditaments, which might be-
‘come vested in them by or under the Authority of the
‘said Act now in recital, and that the Purchase Money
‘should be applied in the Purchase of other Premises, to
‘be held on the like Trusts as those sold, or in such
‘Manner as the said Commissioners should think advis-
‘able for the Benefit of the Union or Institution for the
‘Benefit or Purposes of which the said Hereditaments had
‘been holden: And whereas under the Provisions of the
‘said last-recited Act, and the Acts amending the same,
‘Unions for the Relief of the Poor have been or may be
‘declared, consisting of Portions of Counties or Cities and
‘Counties of Towns, together with Portions of adjoin-

^a Irish Poor Relief Act, 1 & 2 Vic. c. 56, § 34 (p. 26).

^b The provisions in the original acts relating to the constitution of the Commission to which this act of 1841 had reference, expired in 1847: and the functions of the Poor Law Commissioners, and property vested in them, were transferred to the Commissioners appointed under 10 & 11 Vic. c. 90 (§ 1, 9, 10, p. 157, &c.). Under subsequent provisions of the present act, certain functions might be assigned to an “Assistant Commissioner:” but there is now no Assistant Commissioner, either under the Irish Poor Relief Act of 1838, 1 & 2 Vic. c. 56 (see § 1, 9–12, and notes thereon, p. 3, &c.), or under 10 & 11 Vic. c. 90 (see § 6, and note ^b, p. 159). The officers corresponding to the late Assistant Commissioners herein referred to, are the Inspectors appointed under the latter act, to whom the Commissioners are empowered to assign such duties, and delegate such of their own powers, as they may think necessary (§ 5, p. 159).

^c 1 & 2 Vic. c. 56 § 40 (p. 32).

‘ing Counties at large, and other Unions have been or
‘may be declared, consisting of Portions of Counties
‘at large: And whereas it is expedient that Provision
‘should be made for the immediate Payment of all Debts
‘and Charges affecting such Houses of Industry, and of
‘such Advances as shall have been made for the lawful
‘Purposes thereof, conformable with previous Usage;’

Be it therefore enacted, by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the *Poor Law Commissioners*, or such *Assistant Commissioner*^a as they shall appoint for that Purpose^b, to inquire into and ascertain all Debts, Charges, and Incumbrances affecting any House of Industry or Workhouse, which was heretofore established or supported by virtue of the said two first-recited Acts^c or any of them, and which has been or shall be declared or appropriated as or for a Workhouse, under the said Act of the First and Second Years of the Reign of Her present Majesty^d, and also all Advances which shall have been made for the lawful Purposes of such House of Industry or Workhouse up to the Time of such Declaration or Appropriation; and the said Commissioners, or such *Assistant Commissioner*^a, shall, by a Certificate in Writing, certify the Nature and Amount of such Debts, Charges, Incumbrances, and Advances, and the several Items composing the same, when and where the same were created or made, and to whom the same may be due, and shall also thereby, according to the Nature of the Case, apportion and specify the Proportions in which the Amount so certified^e, shall be defrayed by all the several Unions or Parts of Unions comprised within the County or County of a City or County of a Town, respectively, wherein such House of Industry or Workhouse may be situate, or, where any House of Industry has been used for the Purposes of any County at large as well as of any County of a City or County of a Town, then by all the several Unions or Parts of Unions comprised as well within such County as within such County of a City or County of a Town; and in making such Apportionment, they shall have regard to the Proportions in which such County and County of a City or County of a Town, comprising such Unions or Parts of Unions respectively, shall have been theretofore respectively

4 & 5 Vic.
c. 41,
HOUSES OF
INDUSTRY,
&c. ACT,
1841.

Poor Law
Commission-
ers, or Assist-
ant Commis-
sioners to
inquire into
Debts, &c.
affecting any
House of
Industry, &c.

1 & 2 Vic.
c. 56.

Commission-
ers or Assist-
ant to make
Certificate of
Debts and
Charges;

and to specify
the Proportions in which
they shall be
paid by the
several
Unions of
county, &c.

In apportion-
ment, regard
to be had to
proportions
previously
contributed.

^a See note ^b in p. 268.

^b And a Barrister may be employed as Assistant or Assessor; see § 5 (p. 271).

^c 11 & 12 Geo. 3. c. 30, and 27 Geo. 3, c. 44 (Irish Acts).

^d 1 & 2 Vic. c. 56, § 34 (p. 26).

^e And under § 6 (p. 271), the remuneration of the Barrister, where one is employed under § 5, and other expenses of the inquiry, are to be added to the amount specified in the certificate to be made under this section.

4 & 5 VIC.
c. 41,
HOUSES OF
INDUSTRY,
&c. ACT.

Certificate to
be transmit-
ted to Clerks
of Unions
affected;
to be pub-
lished as
Guardians
may direct;
and open to
inspection.

Appeal may
be had by
20 Rate-
payers of any
Union af-
fected, to
Assistant
Barrister,
against such
Certificate,
within 20
days:

Notice of
Appeal.

Clerk to
transmit
notice to
Assistant
Barrister;

who is to
have Power
to determine
the Appeal:

and award
Costs.

contributory to the Purposes of such House of Industry, whether by Parliamentary Tax, Grant, Grand Jury Aid, or by any compulsory Rate or Contribution: and the said *Poor Law Commissioners*, or such *Assistant Commissioner*^a, shall, within One Week after the Receipt of such Certificate, transmit or cause to be transmitted a Duplicate thereof to the Clerk of the Guardians of the Poor of every Union by which or any Part of which it is proposed by such Certificate that the Amount therein specified, or any Proportion thereof, shall be defrayed; and such Clerk shall endorse on such Certificate the Date of the Receipt thereof, and shall publish and notify the Receipt thereof in such Manner as the Guardians shall direct, and shall permit any Rate-payer of such Union, at all reasonable Times, to inspect the same and to make any Extract or Copy therefrom without Fee or Reward.

2. And be it enacted, That it shall be lawful for any Twenty or more Rate-payers of each or any such Union, within Twenty Days after the Duplicate of such Certificate shall be so received by the Clerk of such Union as aforesaid, to appeal against such Certificate, on the Ground of any Matter contained therein or being omitted therefrom, to the Assistant Barrister having Civil Bill Jurisdiction within the County, County of a City, or County of a Town within which such House of Industry or Workhouse shall be situate, by depositing with the said Clerk of the Guardians, within such Period of Twenty Days, a Notice of Appeal, in the Form specified in the Schedule to this Act annexed^b, or to the like Effect, specifying the Grounds of such Appeal: and the said Clerk of the Guardians shall transmit every such Notice of Appeal to such Assistant Barrister; and he shall have Power and Authority to hear and determine such Appeal, and to quash, confirm, or alter or amend such Certificate; and such Assistant Barrister shall in and about such Appeal exercise all such and the like Powers, Authorities, and Jurisdiction, as may be exercised in relation to the Accounts of Treasurers, by the Officer who shall be from Time to Time by Warrant authorized by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to audit and declare the Accounts of the several Treasurers of Counties and Counties of Cities and Towns, under and by virtue of the Provisions of an Act passed in the Session of Parliament holden in the First Year of the Reign of Her present Majesty, intituled *An Act to provide more effectual Means to make Treasurers of Counties and Counties of Cities in Ireland account for public Monies, and to secure the same*^c, or of any Act or Acts amending the same: and such Assistant Barrister shall have Power to order the Costs of such Appeal, or such Costs as he shall deem just, to

^a See note ^b in p. 268.

^b Page 272.

^c 1 Vic. c. 54.

be paid by or to the Party so appealing, or by or to any Party resisting or opposing such Appeal; and any Order so made for such Costs shall have the Force of a Civil Bill Decree of such Assistant Barrister, and the Amount thereof may be recovered and levied accordingly, or the Amount thereof may be recovered by Civil Bill before any Assistant Barrister within whose Jurisdiction any Party liable to such Costs shall reside; and such Certificate, if not appealed from as aforesaid, or if so appealed from, then as the same shall be altered or amended by such Assistant Barrister, shall be final and conclusive to all Intents and Purposes.

3. And be it enacted, That the several Sums specified in such Certificate so made as aforesaid, or so amended or altered on Appeal, as the Proportions to be defrayed by or charged upon the several Unions or Parts of any Union or Unions specified therein, shall be a Charge upon the Poor Rates levied or to be levied on such Unions or Parts of an Union or Unions respectively; and the Guardians of every such Union are hereby authorized and required to assess, raise, and levy such Sum or Sums of Money specified in such Certificate as the said Poor Law Commissioners shall from Time to Time direct, as Part of the Poor Rate; and shall pay the same to such Bank or Banks for or to be paid over to the respective Parties entitled under such Certificate to such Debts, Charges, Incumbrances, or Advances, respectively, according to Directions to be given for that Purpose by the said *Poor Law Commissioners*^a.

4. And be it enacted, That when and so soon as the said Commissioners^a shall, under the Provisions of the said last-recited Act^b, think fit to sell and dispose of such Houses of Industry and other Property vested in them as aforesaid, then and thereupon the Proceeds and Produce of such Sale shall be by the said Commissioners paid to and amongst the Guardians of the respective Unions which shall have contributed to the Payment of the said Debts, Charges, and Incumbrances, to be by them carried to the Credit of the several Parishes or Townlands, or other Divisions or Districts, in such and the same Proportions as they shall have contributed to the Payment thereof.

5. And be it enacted, That it shall be lawful for the said *Poor Law Commissioners*^a, if it shall seem expedient to them so to do, to appoint a Barrister of not less than Six Years' Standing to act as Assistant or Assessor with the *Poor Law Commissioners* or such *Assistant Commissioner*^a upon such Inquiry; and in such Case, every such Certificate shall be signed as well by such Barrister as by the *Poor Law Commissioners* or such *Assistant Commissioner*^a respectively.

6. And be it enacted. That it shall be lawful for the said *Poor Law Commissioners*^a to pay to each Barrister

4 & 5 Vic.
c. 41,
HOUSES OF
INDUSTRY,
&c. ACT,
1841.

Certificate or
Appeal, final.

Sums speci-
fied in such
Certificate to
be a Charge
upon the
Poor Rates:

Guardians to
levy same as
part of rates:

and to pay
same under
directions of
the Commis-
sioners.

On Sale of
Houses of
Industry,
&c. proceeds
to be paid to
Guardians of
Unions:

and carried
to Credit of
the several
divisions, &c.

Commission-
ers may ap-
point a Bar-
rister as As-
sessor upon
the Inquiry:

Remunera-
tion to Bai-

^a See note ^b in page 268. ^b 1 & 2 Vic. c. 56; see § 34, 40 (p. 26, 32).

4 & 5 Vic.
c. 41,
HOUSES OF
INDUSTRY,
&c. ACT.

—
rister, and
other
Expenses:
to be added
to Certi-
ficate,

and defrayed
in same
manner.

Power to ex-
amine Wit-
nesses, and
to call for
Papers, &c.
upon Oath:
and to remu-
nerate wit-
nesses;
as under Poor
Relief Act.

nominated by them as aforesaid to act with them or with an *Assistant Poor Law Commissioner*^a for the Purposes of this Act, a Sum not exceeding Five Guineas for every Day that he shall be so employed, and to pay the other necessary Expenses attendant on carrying this Act into effect, including the Expenses of Witnesses, if any; and the said Commissioners shall direct the Sum so paid by them to each such Barrister, and the other Expenses of such Inquiry, to be added to the Amount specified in a Certificate herein-before mentioned^b; and the said Sum or Sums shall be defrayed by the several Unions or Parts of Unions in the same Manner and in the like Proportions as the Amount so specified in the said Certificate, and shall be assessed, raised, and levied as a Poor Rate together therewith, and in addition to and as Part thereof, and paid over to such Person or Persons as the said *Poor Law Commissioners*^a shall direct.

7. And be it enacted, That the said *Poor Law Commissioners*. and every *Assistant Poor Law Commissioner*^a and Barrister who shall be deputed and nominated to make the Inquiry herein-before directed to be made, shall have for the Purposes thereof, all and every the Powers and Authorities of summoning Witnesses and administering Oaths, and receiving Declarations in lieu thereof, and of remunerating Witnesses, and of requiring and enforcing the Production, upon Oath, of Books, Contracts, Agreements, Accounts, and Writings, which by and under the Provisions of the said recited Act the *Poor Law Commissioners*^a are invested with for the Purposes thereof^c.

8. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

SCHEDULE to which this Act refers^d.

Notice of ap-
peal against
certificate of
debts, and
apportion-
ment, &c.

County of ———, } WE, the undersigned Rate-payers
to wit. } of the Union of ———, do
hereby give you Notice that we appeal from the Certifi-
cate of [*here insert the Name or Names of the Poor Law
Commissioner or Assistant Poor Law Commissioner^a and
Barrister^c,*] made in pursuance of an Act passed in the
Fourth Year of the Reign of Her Majesty Queen Victoria,
intituled, “An Act to provide for the Payment of Debts,
Charges, and Incumbrances affecting Houses of Industry
and Workhouses, and of Advances made, conformable
with previous Usage, for the lawful Purposes of such

^a See note ^b in p. 268.

^b § 1 (p. 269).

^c See 1 & 2 Vic. c. 56, § 2, 14 (p. 3, 10), &c.

^d § 2 (p. 270).

^e Where one is appointed and signs the certificate, under § 5 (p. 271.)

Houses of Industry and Workhouses, in certain Cases, in Ireland." to the Assistant Barrister of ———, upon the following Causes or Grounds; that is to say [*here state the Grounds of Appeal*].

Witness our Hands^a, this ——— Day of ———, One thousand eight hundred and ———.

(Signed)^a ——— ———

4 & 5 Vic.
c. 41,
HOUSES OF
INDUSTRY,
&c. ACT,
1841.

To ——— ———,
Clerk of the Guardians of the Poor of the Union of ———.

FOUNDLINGS OR DESERTED CHILDREN, AND FOUNDLING HOSPITALS.

11 & 12 GEO. 3, CAP. 15.

An Act for the Relief of poor Infants who are or shall be deserted by their Parents.

11 & 12
GEO. 3, c. 15,
FOUNDLINGS
OR
DESERTED
CHILDREN.

§ 1. WHEREAS poor Infants are frequently deserted by their Parents and left exposed to the Inclemency of the Weather in the Streets and other Places in Cities^b: and whereas the Inhabitants of several Parishes, in which Children are so exposed, refuse to raise Money for the Support of such Children, by which many of them perish; Be it enacted, by, &c., That in every City^b in this Kingdom, (except the Cities of *Dublin*^c and *Cork*^d) a Vestry shall be held annually in every Parish within such Cities on some Day in the first Week in *June*^e, of which public Notice shall be given by the Minister or his Curate at least Six Days previous to the holding of such Vestry, exclusive of the Day of giving such Notice and of the Day

In Cities,
Annual Vestries to be held in June^e; and Overseers to be chosen.

^a The power of Appeal is given to 20 or more Ratepayers of each or any Union concerned: § 2 (p. 270).

^b This act is confined to Cities: but the application of its provisions is extended by a subsequent act, 13 & 14 Geo. 3, c. 24, § 1, as amended by the latter act (p. 275), to *all* Parishes in Ireland, except in Dublin^c and Cork^d.

^c Similar provisions are extended to Dublin by 3 Geo. 4, c. 35, § 4 (p. 277).

^d See special provisions applying to Cork, contained in several statutes (p. 281-283).

^e Under the Vestry Act, 7 Geo. 4, c. 72, § 51 (p. 278), the overseers may be appointed at Easter or other vestries, or if not so appointed at the ordinary time they may be appointed in June under this section: and in case of an overseer's death before the close of his year of office, provision is made for the appointment of another overseer, by a vestry, within ten days after the decease; § 6 of the present act (p. 274).

11 & 12
GEO. 3, c. 15,
FOUNDLINGS
OR
DESERTED
CHILDREN.

Overseers to
provide for
Foundlings:
Maximum
for each
Child, £5.

Overseers to
determine
and assess
Sums to be
raised; Va-
luation.

Sums as-
sessed to be
collected and
applied by
Overseers,

and may be
levied from
Occupiers by
Distress
Warrant of
Overseers,
2 days after
demand.

Accounts to
be rendered
by Overseers
on Oath
quarterly to
Ministers of
Parish.

Provision
in Case of
Death of
Overseer.

of holding such Vestry; and the Minister or Curate, Churchwardens, and Parishioners, of every such Parish, shall at such Vestries respectively, annually choose Three Overseers out of the Inhabitants of every such Parish.

2. And be it enacted by the Authority aforesaid, That such Overseers shall take up and provide for the Maintenance and Education of all such Children as shall be so deserted and exposed within their respective Parishes: Provided always, that not more than the Sum of Five Pounds shall be allowed for each Child.

3. And to the end that the Expense of maintaining such Children may be equally borne by the Inhabitants of such Cities respectively, be it enacted by the Authority aforesaid, That the Overseers of every Parish in such Cities respectively, shall from Time to Time, as occasion shall require, assemble together, and settle and determine what Sums of Money shall be raised upon the Inhabitants of such Cities respectively for the Purpose of maintaining and educating such deserted Children; and such Overseers, or the major Part of them, shall at such Meetings equally and impartially assess such Sums so to be raised upon the Inhabitants of the several Houses within such Cities respectively, *according to the Ministers' Money payable out of such Houses*^a; and where such Houses are not rated to the Minister, the same shall be valued by such Overseers or the major Part of them, and rated accordingly.

4. And be it enacted by the Authority aforesaid, That such Overseers within their respective Parishes, or some Person or Persons appointed by them, shall collect the several Sums so assessed, and apply the same for the Maintenance and Education of such deserted Children within their respective Parishes; and if any Occupier of any House shall refuse or neglect to pay the Sum so assessed, to such Overseers or the Person or Persons by them appointed, for the Space of Two Days after Demand thereof, the same shall be levied on every such Occupier by Distress and Sale of his or her Goods by Warrant under the Hands and Seals of such Overseers, returning the Overplus, if any, after deducting all Charges attending the same, to the Owner of such Goods so distrained.

5. And be it enacted by the Authority aforesaid, That such Overseers shall return a quarterly Account to their respective Parish Ministers or to their respective Curates, upon Oath, (which Oath such Ministers and Curates respectively are hereby empowered and required to administer,) of the respective Sums so by them levied, and how the same have been applied.

6. And be it enacted by the Authority aforesaid, That if any Overseer shall happen to die within the Year for

^a The provision for assessment according to Ministers' Money is repealed by 13 & 14 Geo. 3, c. 24, § 2, which enacts that the inhabitants shall be assessed according to the value of the houses (p. 276). As to Ministers' Money, see subsequent act of 17 Vic. c. 11 (p. 469).

which he shall be so chosen, another Person shall be chosen in his Room within Ten Days after his Decease, at a Vestry to be held for the Parish in which he was Overseer, of which Four Days' previous Notice at the least shall be given by the Minister of such Parish or his Curate.

11 & 12
GEO. 3, c. 15,
FOUNDLINGS
OR
DESERTED
CHILDREN.

7. And be it enacted by the Authority aforesaid, That every such Overseer shall, within Six Days after he shall be so elected, take an Oath before the Chief Magistrate of the City in which he shall be so elected, (which Oath such Chief Magistrate is hereby empowered and required to administer,) that he will fairly and justly, without Favour or Affection, assess such Sums as may be necessary to be raised for the Purposes aforesaid.

Overseer to
make Oath
that he will
fairly assess.

8. And be it enacted by the Authority aforesaid, That the Overseers in every such City shall enter, or cause to be entered, in a Book to be kept for the Purpose, a regular Account of the Sums from Time to Time by them directed to be raised for the Purposes aforesaid, and of the Names of the Persons upon whom the same are to be levied; and Copies of such Entries, lodged by such Overseers, shall be delivered to the Ministers of the respective Parishes or their Curates, to which all the Parishioners of such Parishes respectively may have recourse at all seasonable Times.

Assessment
Book to
be kept by
Overseers:
Copy to be
delivered to
Parish
Ministers,
and be open
to Parish-
ioners.

9. And be it enacted by the Authority aforesaid, That if the Parishioners of any such Parish shall at such Vestry refuse or neglect to elect Three such Overseers, then and in such Case the Minister of such Parish, or in his Absence his Curate, shall name Three Overseers for such Parish, which Persons so named shall be invested with the same Powers as if they had been elected by the Parishioners.

If Parishion-
ers do not
elect Over-
seers, the
Parish Minis-
ter or Curate
may name
them.

10. And be it enacted by the Authority aforesaid, That if any Action or Suit shall be commenced or prosecuted against any Person or Persons for any thing done in pursuance of this Act, the Defendant or Defendants may plead the general Issue, and give this Act and the special Matter in Evidence; and that this Act shall be deemed a public Act and judicially taken notice of as such.

In Actions,
general Issue
may be
pleaded, &c.

13 & 14 GEO. 3, CAP. 24.

“An Act for amending Two Acts passed in the last Session, the One intituled An Act for the Relief of Poor Infants who are or shall be deserted by their Parents,” &c.^a

13 & 14
GEO. 3, c. 24,
FOUNDLINGS
OR
DESERTED
CHILDREN.

EXTRACTS.

§ 1. “WHEREAS an Act passed in the last Session of Parliament for the Relief of Poor Infants who are or shall

Parochial
Provision for
deserted

^a The other act referred to relates to a different subject, unconnected with the subject matters of this work.

13 & 14
GEO. 3, c. 24,
FOUNDLINGS
OR
DESERTED
CHILDREN.

Children,
extended to
all Parishes
in Ireland,
(except in
Dublin and
Cork):

Overseers to
provide for
deserted
Children at
and under 12
Months old.

Repeal of
Provision for
Assessment
according to
Ministers'
Money:

Sums to be
assessed upon
Value of
Houses.

If Parish do
not raise
Sums requir-
ed, Judge of
Assize may
order Sum
not exceed-
ing £5 for
each Child
at and under
12 Months, to
be raised like
Grand Jury
Present-
ments.

be deserted by their Parents^a, the Provisions of which extend only to Parishes within Cities: and whereas it is reasonable, that other Parishes as well as those within Cities should be obliged to maintain such poor Children as shall be deserted and left within the said respective Parishes: Be it enacted by, &c., That in every Parish in this Kingdom, (except in the Cities of *Dublin*^b and *Cork*^c, for which Provision is made by particular Acts of Parliament,) a Vestry shall be held annually at such Time, by such Persons, and in such Regulations, and invested with such Powers, as is directed by the said first Act^a with respect to Parishes within Cities; and that the Overseers in such Parishes respectively shall take up, and provide for the Maintenance and Education of all such Children as shall be deserted and exposed within their respective Parishes, at the Age of Twelve Months or under, subject to the Restrictions in the said first-mentioned Act^a; and such Sums of Money as shall be necessary for the Purposes aforesaid, shall be raised upon the respective Parishes in the same Manner and with such Remedies as other Parish Cesses.

“2. And be it enacted by the Authority aforesaid, That so much of the said first-mentioned Act as directs^d that the Sums to be raised in pursuance of the said Act, shall be assessed upon the Inhabitants of the several Houses within such Cities respectively according to the Ministers' Money payable out of such Houses, may be repealed; and that such Sums shall be assessed by the Persons and in the Manner therein directed, upon the Inhabitants of the several Houses within such Cities respectively, according to the Value of such Houses respectively.

“3. And be it enacted by the Authority aforesaid, That if any Parish shall refuse or neglect to raise such Sums as shall be necessary for the Purposes of this or the said former Act, it shall and may be lawful to and for the next going Judges of Assize, or One of them, upon Complaint made to him or them by the Parish Minister or Curate of such Parish (which Complaint such Minister or Curate is hereby required to make,) of such Refusal or Neglect, to order such Sum to be raised on such Parish as he or they shall think fit, so as the same do not exceed the Sum of Five Pounds for each Child which shall be left exposed and deserted in such Parish of the Age of Twelve Months or under; and the Sums so directed to be raised shall be assessed and levied upon such Parish, by the Persons, in the Manner, and with the like Remedies, as Money presented by Grand Juries to be raised; and the Sums so

^a 11 & 12 Geo. 3, c. 15 (p. 273).

^b The provisions of this act are extended by the 3 Geo. 4, c. 35, § 4 (p. 277), to Dublin, the Judges of the Queen's Bench being invested with the powers of the Judge of Assize under § 3 in this behalf. In Dublin, a Foundling Hospital had also been established and regulated under special statutes: see observations in p. 278.

^c See special provisions applying to Cork (p. 281–283).

^d 11 & 12 Geo. 3, c. 15, § 3 (p. 274).

levied shall be paid to the Minister or Curate of such Parish, and by him applied to the Purposes of the said Act; and the Judge or Judges of Assize to whom such Complaint shall be made are hereby empowered and required to examine upon Oath touching the Matter of such Complaint.

13 & 14
GEO. 3, c. 24,
FOUNDLINGS
OR
DESERTED
CHILDREN.

“4. And be it enacted by the Authority aforesaid, That if any Overseer appointed in pursuance of this or the said former Act, shall refuse or neglect to execute the Duty of the said Office, he shall forfeit for every such Offence the Sum of Ten Pounds, to be recovered by Civil Bill in the Name of the Minister or Curate of such Parish in which such Refusal or Neglect shall happen, with full Costs of Suit; and the Sum so recovered shall be applied towards the Maintenance and Education of the deserted Children in such Parish.”

Overseer
neglecting
duty, to
forfeit £10;
to be applied
to support of
deserted
Children.

“7. And be it enacted by the Authority aforesaid, That if any Action or Suit shall be commenced or prosecuted against any Person or Persons for any thing which shall be done in Pursuance of this Act, or of the Two Acts^a here mentioned, the Defendant or Defendants may plead the general Issue, and give the special Matter in evidence; and this Act shall be deemed a public Act and judicially taken Notice of as such.”

In Actions,
Defendants
may plead
general
Issue, &c.

3 GEO. 4, CAP. 35, (DUBLIN).

EXTRACT.

§ 4. “And be it further enacted, That all and every the Clauses, Enactments, Regulations, and Powers mentioned, enacted, and given, in and by the said hereinbefore recited Acts^b passed in the Parliament of Ireland, and the Eleventh and Twelfth Years, and in the Thirteenth and Fourteenth Years, of the Reign of His said late Majesty King George the Third, to take Effect within any Parish in Ireland, (except within the Cities of *Dublin* and *Cork*), shall, from and after the Fourth Day of January One thousand eight hundred and twenty-three, have Effect and be in Force and put in Execution in every Parish within the City of *Dublin*, as if the said City had not been excepted out of the said Acts^c; and that the Judges of His Majesty’s Court of King’s Bench, or any one of them, shall, in each presenting Term, have and exercise the same Powers and Duties with respect to each and every Parish within the said City of *Dublin*, as are given to or required from the Judges of Assize, or One of them, with respect to other Parishes in Ireland, under

3 GEO. 4,
c. 35,
FOUNDLINGS
IN DUBLIN.

Parochial
provision
for deserted
Children,
extended to
Dublin:

Power of
Judges to be
exercised in
Dublin by
Judges of
the Queen’s
Bench.

^a One of the two acts referred to is 11 & 12 Geo. 3, c. 15 (p. 273); the other relates to a different subject, unconnected with the subjects of this work.

^b 11 & 12 Geo. 3, c. 15 (p. 273): and 13 & 14 Geo. 3, c. 24 (p. 275).

^c See as to Cork, p. 281–283.

3 GEO. 4,
c. 35,
FOUNDLINGS
IN DUBLIN.

and by virtue of the Provisions of the said Act of the Thirteenth and Fourteenth Years of His said late Majesty's Reign.^a"

Taxes in
Dublin for
Support of
Foundling
Hospital to
cease.

§ 5 enacts, that from and after the 4th January, 1823, the several Taxes and Duties payable for the support of the Foundling Hospital in Dublin, in respect of Houses in the City of Dublin, and the Suburbs and Liberties near the same or within two miles of the Castle of Dublin, under the act 11 & 12 Geo. 3. c. 11 (I.), or under any act for amending the said act, shall cease, determine, and be no longer payable. The Dublin Foundling Hospital and House of Industry establishments receive parliamentary grants.

7 GEO. 4,
c. 72,
VESTRY ACT.

7 GEO. 4, CAP. 72.

"An Act to consolidate and amend the Laws which regulate the Levy and Application of Church Rates and Parish Cesses, and the Election of Churchwardens," &c.

EXTRACT.

Overseers
may be
appointed at
Easter or
other Ves-
tries, as in
June.

"§ 51. And be it further enacted, That Overseers for the Purpose of carrying into execution an Act made in the Parliament of Ireland in the Eleventh and Twelfth Years of the Reign of His late Majesty King George the Third, intituled *An Act for the Relief of Poor Infants who are or shall be deserted by their Parents*, or any Act or Acts for amending the same^b, may be chosen annually at any Vestry holden for any of the Purposes of this Act; and such Election shall be as valid and effectual as if such Overseers were chosen at any Vestry called pursuant to the directions of the said Acts, anything in the said Acts to the contrary in anywise notwithstanding."

6 & 7 WM. 4,
c. 116,
FOUNDLINGS:
GRAND JURY
PRESENT-
MENTS.

6 & 7 WM. 4, CAP. 116.

An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in Ireland.

This act was passed on the 20th August, 1836, for the establishment of a uniform system of raising money by Presentment to be established in the Counties in Ireland generally; and the first section declares that it shall not

^a § 3 of 13 & 14 Geo. 3, c. 24 (p. 276).

^b p. 273 et seq.

be lawful for any Grand Jury except in the County and City of *Dublin*^a, to make any Presentments (except in cases specially reserved) for raising any money, otherwise than under the provisions of this act.

6 & 7 Wm. 4,
c. 116,
FOUNDLINGS:
GRAND JURY
PRESENT-
MENTS.

§ 109 enacts. "That where, after the passing of this Act^b, any Child under the Age of Two Years shall be left exposed and deserted in any Parish in Ireland, and an Application shall have been made by any Two Cess-payers, with the Approval of Two or more Justices at Petty Sessions assembled, and such Application shall likewise have been approved at the Presentment Sessions for the Barony in which such Parish shall be situate, it shall be lawful for the Grand Jury of such County to present, to be levied off such Parish, or any Portion thereof, any Sum not exceeding Five Pounds in the Year, for the Maintenance of such Child; and such Sum so levied shall be paid to the Cess-payers making such Application, or such other Person or Persons as the Grand Jury shall direct, to be by them applied for the Purposes aforesaid; Provided always, That if the Baronial Presentment Sessions shall not approve of any such Application, or the Grand Jury of such County shall refuse or neglect to make such Presentment, it shall be lawful for the Judge of Assize, upon the Complaint of such Cess-payers, to order such Sum as he shall think fit, not exceeding Five Pounds, to be raised upon such Parish or Portion thereof, (in the same Manner as any Money presented by Grand Juries,) for the Support of such Child; and provided further, that in no Case shall any Sum be presented for the Support of any such Child after it shall have attained the Age of Twelve Years."

Grand Jury may present £5 in the Year for Maintenance of any deserted Child under Two Years, on Application of Two Cess-payers, &c.

If no presentment, Judge of Assize, on Complaint of such Cess-payers, may order Money to be raised. But no presentment after child is 12 years old.

EXTRACT from 7 Wm. 4, CAP. 2, an Act, passed 24th February, 1837, to amend the foregoing Act.

7 Wm. 4,
c. 2.

§ 7. And be it enacted, That the Power of any Judge of Assize to order, and of Grand Juries to present, under the Provisions of the said Act^c, any Sum not exceeding Five Pounds for the Maintenance of deserted Children, shall extend to Cases where any Child shall have been left exposed and deserted before the passing of the said Act^c: Provided always, that such Presentment shall be applied for and levied and paid in the Manner by the said Act particularly directed^c.

Foregoing provisions to extend to Children deserted before the passing of 6 & 7 W. 4, c. 116.

^a Special act as to presentments for deserted children in County of Dublin, p. 280.

^b Extended by 7 Wm. 4, c. 2, § 7, to cases of children left exposed and deserted before the passing of the act (p. 279).

^c 6 & 7 Wm. 4, c. 116, § 109 (p. 279), related only to children left exposed and deserted after the passing of that act.

7 & 8 VIC.

7 & 8 VICT. CAP. 106.

c. 106,
FOUNDLINGS
IN COUNTY
DUBLIN.

An Act to consolidate and amend the Laws for the Regulation of Grand Jury Presentments in the County of Dublin.

The object of the above act (passed, 9th August 1844) is to assimilate the law in the County of Dublin, as far as practicable, to that which applies to other parts of Ireland: and the provision made for Deserted Children in other counties is, by § 44, applied to the County of Dublin; the power, however, vested in the Judge of Assize in other cases being vested, in regard to that county, in any of the Judges of the Court of Queen's Bench, as under § 4 of 3 Geo. 4, c. 35, in reference to the City of Dublin (p. 277).

The following is the section extracted from the Act, 7 & 8 Vic. c. 106.

Grand Jury may present £5 in the Year for Maintenance of any deserted Child under Two Years, on Application of Two Cess-payers, &c.

If no presentment, Judge of Queen's Bench, on Complaint of such Cess-payers, may order Money to be raised.

Proviso: no presentment for a Child after 12 years of age.

§ 44. "And be it enacted, That where either previous to or after the First Day of January One thousand eight hundred and forty-five, any Child under the Age of Two Years shall have been or shall be left exposed and deserted in any Parish in the said County, and an Application shall have been made by any Two Cess-payers, with the Approval of Two or more Justices at Petty Sessions assembled and such Application shall likewise have been approved at the Presentment Sessions for the Barony in which such Parish shall be situate, it shall be lawful for the Grand Jury of such County to present, to be levied off such Parish, or any Portion thereof, any Sum not exceeding Five Pounds in the Year, for the Maintenance of such Child; and such Sum so levied shall be paid to the Cess-payers making such Application, or such other Person or Persons as the Grand Jury shall direct, to be by them applied for the Purposes aforesaid: Provided always, that if the Baronial Presentment Sessions shall not approve of any such Application, or the Grand Jury of such County shall refuse or neglect to make such Presentment, it shall be lawful for any Judge of the Queen's Bench, upon the Complaint of such Cess-payers, to order such Sum as he shall think fit, not exceeding Five Pounds, to be raised upon such Parish or Portion thereof, (in the same Manner as any Money presented by Grand Juries,) for the Support of such Child, and to be paid in like Manner as herein-before provided for: Provided also, that in no Case shall any Sum be presented for the Support of any such Child, after it shall have attained the Age of Twelve Years."

SPECIAL PROVISIONS FOR FOUNDLINGS OR
DESERTED CHILDREN IN THE CITY OF CORK.

9 GEO. 2, CAP. 25, (CORK).

9 GEO. 2,
c. 25,
FOUNDLINGS
IN CORK.

This Act provided, amongst other things, for the Erection of a "Workhouse" in the City of Cork, (commonly known as the Foundling Hospital,) and constituted a Body of "Governors" of the said Workhouse or Foundling Hospital; and the act imposed a Duty on Coals and Culm for the support of the Institution and its Inmates. Under the provisions of § 34 & 45 of the Irish Poor Relief Act, 1 & 2 Vic. c. 56, the Duty on Coals and Culm, for the support of the Cork Foundling Hospital, has been from time to time reduced by the Commissioners of Poor Law since the passing of that act. It has now ceased and been determined altogether by an order dated 2nd July, 1855, which abolished that duty thenceforth: and the Foundling Hospital itself has been closed as such, and appropriated to other purposes. The provisions of the following acts, so far as regards the reception of foundlings or deserted children into the Cork Foundling Hospital, are now therefore superseded.

§ 17 of 9 Geo. 2, c. 25, enacted, "That as soon as the said Workhouse^a shall be so built as aforesaid, the Governors of the said Workhouse^a shall receive from the Churchwardens of the respective Parishes of the said City and Liberties thereof, all the exposed or foundling Children that shall then be in the City or Liberties; and from thenceforward the said Governors shall also receive from the Churchwardens of the said Parishes every Child that shall be hereafter exposed and found in the Streets of the said City and Liberties, which shall be left to be maintained by any Parish or Parishes in the said City and Liberties."

Governors of
Foundling
Hospital
to receive
deserted
Children.

17 & 18 GEO. 3, CAP. 38.

"An Act for the better Regulation of the Police of the City of Cork," &c.

17 & 18
GEO. 3, c. 38,
FOUNDLINGS
IN CORK.

EXTRACT.

§ 20. WHEREAS the Sums appropriated to be paid to the Governors of the Workhouse^a of the City of Cork are not found sufficient for the Support or Maintenance of

Provision
heretofore
made for de-
serted Chil-

^a i.e., the Foundling Hospital or "Workhouse" established under 9 Geo. 2, c. 25, above referred to.

17 & 18
GEO. 3, c. 38,
FOUNDLINGS
IN CORK.

Children in Cork
insufficient:

Churchwar-
dens may
take charge
of deserted
Children;
and provide
Nurses,
Clothing, &c.

Expenses to
be assessed
by Parish
Rates:

Particulars
as to desert-
ed Children
to be kept by
the Church-
wardens, and
Return made
to Master of
Foundling
Hospital.

Deserted
Children to
be received
into Found-
ling Hospital
as Funds
serve.

the foundling deserted or exposed Children in the said City and the Suburbs thereof: And whereas, by an Act passed in the Eleventh and Twelfth Years of His present Majesty's Reign, intituled *An Act for the Relief of Poor Infants, who are or shall be deserted by their Parents*, the Parishes in the City of *Cork* are exempted from taking or receiving any deserted or exposed Children^b: And whereas by the Means aforesaid, many foundling deserted or exposed Children have miserably perished in the said City; for the Prevention thereof for the future, be it enacted by the Authority aforesaid, That the Churchwardens of the several Parishes in the said City of *Cork*, and the Suburbs thereof, may if they shall think proper^c to take into their Care and Possession, any Infant Children that shall be deserted and exposed in their respective Parishes, and that they may provide for such Infant Children proper Nurses, Clothing, and other Necessaries sufficient for the Support of such Infant Children; and that the Expenses thereof shall be raised on the Inhabitants of the said Parishes respectively, by Parish Rates, in the same Manner as the Repairs of the Parish Churches, or other usual Parish Rates, are raised; and that the Churchwardens shall respectively take an Account when any such deserted or exposed infant Child shall be taken by them in their respective Parishes, and shall in Two Days at farthest, after the taking of such Infant, return in Writing to the Master of the Workhouse^e of the said City, an Account of the Time and Place of taking such deserted or exposed Children; and the said Master of the said Workhouse^e shall keep a Book, in which he shall enter the Returns of the said Churchwardens in Priority as the same shall be made, and that the said Master of the Workhouse^e shall lay the said Book before the Governors of the said Workhouse^e, or the Courts^d of Assistants belonging to the same, whenever the said Governors or Court^d of Assistants shall meet; and that whenever the Funds of the said Workhouse^e shall answer to take One or more of the said deserted or exposed Children on the Foundation of said Workhouse^e, to be provided for agreeable to the Act of Parliament in that case made and provided, the said Governors, or the said Court of Assistants, shall take from said respective Parishes, such and so many of the said deserted and exposed infant Children as the Funds of the said Workhouse^e will then allow of, and according to the Priority of such deserted or exposed Children being taken on the said Parishes in Manner aforesaid.

^a 11 & 12 Geo. 3, c. 15 (p. 273).

^b The discretion given by the words "may if they shall think proper," is done away with by 21 & 22 Geo. 3, c. 40, § 19 (p. 283), which makes it obligatory on the Churchwardens to take charge of such Children, under a penalty for refusal.

^c i.e., the Foundling Hospital or "Workhouse" established under 9 Geo. 2, c. 25 (see p. 281).

^d Sic.

21 & 22 GEO. 3, CAP. 40, (CORK.)

EXTRACT.

21 & 22
GEO. 3, c. 40,
FOUNDLINGS
IN CORK.

§ 18. And whereas by an Act of Parliament passed in the Seventeenth and Eighteenth Years of the Reign of His present Majesty, intituled *An Act for the better Regulation of the Police of the City of Cork and for other Purposes relative to the said City*, it is enacted^a by the Authority aforesaid, that the Churchwardens of the several Parishes in the said City of *Cork*, and the Suburbs thereof, may, if they shall think proper, take into their Care and Possession any Infant Children that shall be deserted and exposed in their respective Parishes for the Purposes mentioned in the said Act, and that the Expenses of providing for such Children shall be defrayed by the respective Parishes in the Manner therein mentioned.

Recital of
previous Act.

19. And whereas, several of the said Churchwardens have refused to take into their Care and Possession several infant Children that have been deserted and exposed in their respective Parishes, and it is apprehended that other Churchwardens will refuse to do the same, relying on the Words of the said Act^a, that they have a Power to take such Children, or not to take them, as they shall think proper; whereby the charitable and laudable Scheme intended by the said Act, for the Relief of such deserted and exposed Children, is in a great measure frustrated: for Remedy whereof, be it enacted, by the Authority aforesaid, that the Churchwardens of the several Parishes in the said City of *Cork*, and the Suburbs thereof, shall take into their Care and Possession any infant Children that shall be exposed in their respective Parishes, to be disposed of as mentioned in the said recited Act: and if any Churchwarden of any Parish in the said City of *Cork*, or the Suburbs thereof, shall refuse to take into his Care and Possession any infant Child that shall be deserted and exposed in his Parish, for the Purposes mentioned in the said Act, that such Churchwarden, for every such Offence, shall forfeit the Sum of Five Pounds, to go to the Governors of the Workhouse^b of the said City, for the Use of the said Workhouse^b, and to be recovered by Civil Bill to be brought in the Name of the said Governors at the Assizes to be held for the said City.

Churchwar-
dens in Cork
refusing to
take charge
of deserted
Children:Churchwar-
dens required
to take charge
of deserted
Children;under Pen-
alty of £5
for Refusal.^a 17 & 18 Geo. 3, c. 38, § 20 (p. 282).^b i.e., the Foundling Hospital or "Workhouse" established under 9 Geo. 2, c. 25 (see p. 281).

VACCINATION EXTENSION ACTS.

3 & 4 Vic.
c. 29,
VACCINA-
TION ACT.

3 & 4 VICT. CAP. 29.

An Act to extend the Practice of Vaccination.

[23rd July, 1840.]

Guardians to
contract with
Medical
Practition-
ers for
Vaccination:

§ 1. WHEREAS it is expedient to extend the Practice of Vaccination: Be it therefore enacted by, &c, that, from and after the passing of this Act, it shall be lawful for the Guardians of every Parish or Union, and for the Overseers of every Parish in which Relief to the Poor shall not be administered by Guardians, in *England and Wales*, and they are hereby directed, to contract with the Medical Officers of their several Unions or Parishes respectively, or with any legally qualified Medical Practitioner or Practitioners, for the Vaccination of all Persons resident in such Unions or Parishes respectively: Provided always, that it shall be a Condition of every such Contract that the Amount of the Remuneration to be received under the same shall depend on the Number of Persons who, not having been previously successfully vaccinated, shall be successfully vaccinated by such Medical Officers or Practitioners respectively so contracting.

Remunera-
tion to de-
pend on the
Number of
Persons suc-
cessfully vac-
cinated.

Commission-
ers to make
Regulations,
which Guar-
dians and
Officers are
to conform to.

2. And be it further enacted, That in making such Arrangements as may be required for the Execution of this Act, such Guardians and Overseers, and all other Officers engaged in the Administration of the Laws for the Relief of the Poor, shall conform to the Regulations which may from Time to Time be issued by the Poor Law Commissioners in that Behalf; which Regulations the said Commissioners are hereby authorized and required to make and issue.

Vaccination
Contractors
to report the
Number of
Persons vac-
cinated, &c.

3. And be it further enacted, That such Medical Officers or Practitioners shall make a Report to such Guardians or Overseers, from Time to Time, of the Number of Persons successfully vaccinated by them respectively; and shall make such further Report, with respect to the Persons so vaccinated, as such Guardians and Overseers, under the Direction of the Poor Law Commissioners, shall require.

Copies of
Contracts to
be sent to
Commis-
sioners.

4. And be it enacted, that such Guardians or Overseers shall forthwith, after the Conclusion of any such Contract as before mentioned, transmit a Copy thereof to the Poor Law Commissioners.

Annulling of
Contracts.

5. And be it enacted, That if such Commissioners shall not annul such Contract within Fourteen days from the Receipt thereof, such Contract shall thenceforth not be liable to be annulled by such Commissioners.

6.^a And be it further enacted, That as soon as may be after the passing of this Act, the Guardians of every Poor Law Union in *Ireland* shall (subject to the Approbation of the Poor Law Commissioners) divide such Union into Districts of convenient Extent, and may alter the same from Time to Time, subject to the like Approbation; and shall (subject to such Approbation as aforesaid) contract with competent Medical Practitioners, for the Period of One Year, and so from Year to Year as such Contract may expire, for the Vaccination of all Persons who may come to such Medical Practitioners for that Purpose^b.

7.^a And be it further enacted, That all the Provisions herein-before made, with respect to *England* and *Wales*, for the making of Reports^c of such Medical Officers or

3 & 4 Vic.
c. 29,
VACCINA-
TION ACT.

Guardians
in Ireland to
divide
Unions into
Districts,
and make
Yearly Con-
tracts for
Vaccination.

Vaccination
Contractors
in Ireland
to Report.

^a The provisions of this act, (except the penalty for Inoculation under § 8,) are now virtually superseded so far as concerns Ireland, by the Dispensaries Act of 1851, 14 & 15 Vic. c. 68, which put an end, on the appointment of Medical Officers for the Dispensary Districts formed under that act, to all the then existing Vaccination Contracts, which it was declared should cease and determine, the Medical Officers of the Dispensaries being required, as a part of their duty, to vaccinate any persons coming to them for the purpose; and the act further declares that it shall be no longer obligatory on the Guardians to make Contracts for Vaccination under this act: see § 13 of Dispensaries Act, and note ^b, in p. 217.

This change has taken away the interest given to the Medical Practitioner in encouraging Vaccination, by the salutary condition on which the Contract system was founded under this act,—namely, that the amount of remuneration of the Medical Practitioner with whom the contract was made should depend on the number of persons successfully vaccinated by him: (§ 1, p. 284.)

In England, the provision for Vaccination by means of contracts, founded upon the condition above referred to, remains in force: and recent legislation for that country has rendered Vaccination compulsory; a measure which, according to published reports, has caused a great increase in the number of individuals who have had the benefit of the protection afforded by Vaccination. The same machinery, however, which exists in England and has been used for carrying this object into effect, and has now been extended to Scotland, does not as yet exist in Ireland, in the absence of a system of Registration of Births, &c., in the latter country.

^b The provision as to England and Wales in the first section requires the Contracts to be for the vaccination of all persons *resident* in the respective Unions or Parishes. Under § 6, the contracts in Ireland were required to provide for all persons *who may come* to the Medical Practitioners contracting.

^c § 3. The provision in § 1 that in England the remuneration of the Vaccinator should depend on the number of persons successfully vaccinated by him, is not expressly extended by the terms of § 6 or § 7 to Ireland; but the latter part of § 7 enables the Commissioners to issue regulations and instructions in like manner as in regard to England, to which the Guardians and Officers are required to conform; and the regulations and instructions issued accordingly by the Commissioners in Ireland, and the form of Contract thereby prescribed, provided for the adoption of the same principle of remuneration: see Form of Vaccination Order and Contract, in Part II. 8.

3 & 4 Vic.
c. 29,
VACCINA-
TION ACT.

Medical Practitioners, shall apply to all such Contracts as may be made under this Act by the Guardians of any Poor Law Union in *Ireland*; and such Guardians, and all other Officers engaged in the Administration of Relief to the destitute Poor, shall conform to the Regulations and Instructions of the Poor Law Commissioners^a, in like Manner as is herein-before directed^b with respect to Guardians, Overseers, and other Officers, in *England* and *Wales*.

Persons inoculating or producing Small Pox, liable to a Month's Imprisonment.

8. And be it further enacted, That any Person who shall from and after the passing of this Act produce or attempt to produce in any Person, by Inoculation with variolous Matter, or by wilful Exposure to variolous Matter, or to any Matter, Article, or Thing impregnated with variolous Matter, or wilfully by any other Means whatsoever, produce the Disease of Small Pox in any Person in *England*, *Wales*, or *Ireland*, shall be liable to be proceeded against and convicted summarily before any Two or more Justices of the Peace in Petty Sessions assembled; and for every such Offence shall, upon Conviction, be imprisoned in the Common Gaol or House of Correction, for any Term not exceeding One Month.

Interpretation Clause.

9. And be it further enacted, That every Word in such Part of this Act as refers to *England* and *Wales* shall be interpreted in like Manner as such Word is directed to be interpreted in an Act passed in the Fourth and Fifth Year of His late Majesty King William the Fourth, intituled *An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales*; and that every Word used in such Part of this Act as relates to *Ireland* shall be interpreted in like Manner as such Word is directed to be interpreted in an Act passed in the First and Second Year of the Reign of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in Ireland*^c.

4 & 5 W. 4,
c. 76.

1 & 2 Vic.
c. 56.

4 & 5 VICT. CAP. 32.

4 & 5 Vic.
c. 32,
VACCINA-
TION AMEND-
MENT ACT.

An Act to amend an Act to extend the Practice of Vaccination.

[21st June 1841.]

3 & 4 Vic. c. 22 (p. 284).
Expenses of Vaccination, payable out of Poor Rates.

1. WHEREAS an Act was passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act to extend the Practice of Vaccination*; but no express Provision was thereby made for defraying the Expenses of carrying the same into execution; be it therefore declared and enacted by, &c., That it shall be, and be deemed to have been, lawful for the Guardians of every

^a See Form of Vaccination Order and Contract, (Part II. 8.)

^b § 2.

^c Irish Poor Relief Act; interpretation clause, § 124 (p. 93).

Parish or Union in *England* and *Ireland*, and the Overseers of every Parish in *England*, by whom the Contracts for Vaccination may respectively be or have been made under the Provisions of the said Act, to defray the Expenses incident to the execution of the said Act out of any Rates or Monies which may come, or may have come, into their hands respectively for the Relief of the Poor.

4 & 5 VIC.
c. 32,
VACCINA-
TION AMEND-
MENT ACT.

2. And be it further declared and enacted, That the Vaccination, or Surgical or Medical Assistance incident to the Vaccination, of any Person resident in any Union or Parish, or of any of his Family, under the said Act, shall not be considered to be parochial Relief, Alms, or Charitable Allowance to such Person; and that no such Person shall by reason of such Vaccination or Assistance be deprived of any Right or Privilege, or be subject to any Disability or Disqualification, whatsoever^a.

Vaccination
not to be
considered
Relief, nor
to affect any
Privilege, or
subject Per-
sons to any
Disqualifica-
tion.

RELIEF TO PENSIONERS AND FAMILIES OF SEAMEN.

9 & 10 VICT. CAP. 10.

An Act for regulating the Payment of the Out-Pensioners of *Greenwich* and *Chelsea* Hospitals.

9 & 10 VIC.
c. 10,
RELIEF TO
PENSIONERS.

[2nd April, 1846.]

The provisions of § 56 of the Irish Poor Relief Act, 1 & 2 Vic. c. 56 (p. 43), appear to be superseded by the following provisions of subsequent acts.

The 2 & 3 Vic. c. 51, § 2, enacted, that when any Pensioner or person entitled to or in receipt of any Pension or other Allowance for service in the Army, Navy, Marines, or Ordnance, should apply to the Guardians of any Union for temporary relief, or should receive relief from the Guardians, it should be lawful for them, but not compulsory upon them, to grant such relief, and to require the Pensioner applying for or receiving the relief, to assign to them his next quarterly payment of Pension or Allowance, to the intent that the Guardians might receive the same, and retain for the use of the Union so much thereof as had been advanced by them for the tem-

^a See § 111 of Parliamentary Voters Act, 13 & 14 Vic. c. 69, and § 32 of Municipal Corporations Act, 3 & 4 Vic. c. 108, and notes thereon in p. 340 and 416.

9 & 10 Vic.
c. 10,
RELIEF TO
PENSIONERS.

porary Relief of such Pensioner, or of his Wife or Family residing with him in the Union; and the act then regulated the form and mode of Assignment and receipt of the Pension in repayment for the relief afforded. The present act of 9 & 10 Vic. c. 10, repeals so much of 2 & 3 Vic. c. 51, as related to the repayment of relief to these Pensioners; and the repayment of relief afforded to a Chelsea or Greenwich Pensioner or his Wife or Children under Fifteen Years of Age, is required to be the subject of express arrangement with the Secretary at War^a, in concurrence with whom the Guardians may agree to advance the whole or any part of the Pension. The amount of repayment is not to exceed half his Pension where Relief shall have been administered to his Wife or one Child only, or two-thirds where Relief shall have been administered to two or more of such Children, or to his Wife and one Child or more. Provision is also made as to Insane Pensioners.

The following are Extracts from the act 9 & 10 Vic. c. 10:—

Repeal of
previous Pro-
visions as to
Repayment
of Relief
granted to
Chelsea and
Greenwich
Out Pen-
sioners.

2 & 3 Vic.
c. 51.

“§ 2. And whereas it is expedient that Provision should be made for the more easy Recovery of Relief given or Money advanced to Pensioners by Guardians and other Officers concerned in the Administration of Relief to the Poor: be it enacted, that from and after the passing of this Act, so much of an Act passed in the Third Year of the Reign of Her Majesty, intituled *An Act to regulate the Payment and Assignment, in certain Cases, of Pensions granted for Service in Her Majesty's Army, Navy, Royal Marines, and Ordnance*, as relates to the Repayment of Relief administered to *Chelsea or Greenwich Out-Pensioners*, shall be repealed.”

Repayment
of Relief af-
forded to a
Pensioner or
his Family,
or of Pension
which may
be advanced
by Guardians
with concu-
rrence and
agreement of
Secretary at
War^a:

“9. And be it enacted, That if any *Chelsea or Greenwich Pensioner* be relieved or become chargeable in *Great Britain or Ireland* in respect of Relief afforded to himself or any Person whom he is liable to maintain^b, or if in any case the Secretary at War^a for the time being and the Guardians of the Poor of any Union or Parish, or the Overseers of any Parish or Township not under a Board of Guardians, or the Heritors and Kirk Session of any Parish in *Scotland*, think it desirable that the Whole or any Part of the Pension of such Pensioner should be advanced out of the Poor's Rate or Funds applicable to

^a The office of Secretary at War has since been abolished, and merged in the offices under the direction of the Secretary of State for the War Department.

^b See § 53, 54 of 1 & 2 Vic. c. 56 (p. 42, 43); and § 8 of 10 Vic. c. 31 (p. 133).

the Relief of the Poor,—it shall be lawful for the Secretary at War^a, by any Writing under his Hand or under the Hand of any Officer or other Person employed by him, to agree with such Guardians or Overseers, or Heritors and Kirk Session, for the Repayment to them, out of the Pension of any such Pensioner, of the Amount of Relief so advanced to or expended on his Account, but not exceeding, in any Case where Relief has been administered to his Wife or one Child only whom he is bound to maintain, the Amount of One-half his Pension or Allowance,—or to Two or more such Children, or to his Wife and One or more such Child or Children, the Amount of Two-Thirds of his Pension so advanced.

9 & 10 VIC.
c. 10,
RELIEF TO
PENSIONERS.

Limitation of
proportion of
Repayment.

“10. And be it enacted, That in case any such *Chelsea* or *Greenwich* Pensioner as aforesaid shall be or become Insane, it shall be lawful for the Secretary at War^a for the time being, upon being satisfied of such Insanity, to order that the Pension of the said Insane Pensioner, or so much thereof as shall appear to him to be necessary for his Care and Maintenance, shall be paid to such Guardians of the Poor, or Overseers or Heritors and Kirk Session, or to the Wife, Child, or any other Person to whom the Care of such Insane Pensioner may be intrusted, or who may be chargeable for or liable to the Expense of his Care and Maintenance; and the Receipt of the Person or Persons to whom the same shall be directed to be paid shall be a sufficient Voucher and Discharge for so much Money as shall appear to have been paid thereon: Provided always, that where no Claim or Demand shall be made for the Support of any such Insane Pensioner, or where the Charge for his Care and Maintenance does not amount to the full Rate of his Pension, then and in every such case it shall be lawful for the Secretary at War^a, at his Discretion, to order his Pension, or so much thereof as may not be necessary for his Care and Maintenance as aforesaid, to be paid to his Wife or Child or Children, if he have any.”

Provision in
regard to In-
sane Pen-
sioners.

17 & 18 VICT. CAP. 104.

An Act to amend and consolidate the Acts relating to Merchant Shipping.

17 & 18 VIC.
c. 104,
MERCHANT
SHIPPING
ACT,
1854.

The following is an extract (so far as relates to the reimbursement of Relief out of Poor Rate to the Families of Seamen in the Merchant Service,) from this act, called “the Merchant Shipping Act, 1854,” (§ 1,) which was passed 10th August 1854, and came into operation 1st May 1855 (§ 3). Other provisions of the same act on other subjects are inserted under their proper headings in other parts of this volume. An extract from a further

^a See note ^a in p. 288.

17 & 18 Vic. c. 104,
 MERCHANT SHIPPING
 ACT,
 1854.

act, passed in 1855, 18 & 19 Vic. c. 91, ("the Merchant Shipping Act Amendment Act, 1855,") as to the Relief of Lascars, &c., is likewise appended.

EXTRACT from 17 & 18 Vic. c. 104.

"Relief to Seamen's Families out of Poor Rates.

Relief to
 Seamen's
 Families to
 be charge-
 able on a
 certain Pro-
 portion of
 their Wages.

"§ 192. Whenever during the Absence of any Seaman on a Voyage, his Wife, Children, and Step-children, or any of them, become or becomes chargeable to any Union or Parish in the United Kingdom, such Union or Parish shall be entitled to be reimbursed out of the Wages of such Seaman earned during such Voyage, any Sums properly expended during his Absence in the Maintenance of his said Relations, or any of them, so that such Sums do not exceed the following Proportions of his said Wages; (that is to say,)

(1.) If only One of such Relations is chargeable, One Half of such Wages :

(2.) If Two or more of such Relations are chargeable, Two Thirds of such Wages :

But if during the Absence of the Seaman, any Sums have been paid by the Owner to or on behalf of any such Relation as aforesaid, under an Allotment Note given by the Seaman in his, her, or their Favour, any such Claim for Reimbursement as aforesaid shall be limited to the Excess (if any) of the Proportion of the Wages hereinbefore mentioned over the Sums so paid.

Notice to be
 given to
 Owner, and
 Charge to be
 enforced on
 the Return of
 the Seaman.

"§ 193. For the Purpose of obtaining such Reimbursement as aforesaid, the Guardians of the Union or Parish, where the Relief of the Poor is administered by Guardians, and the Overseers of the Poor of any other Parish in *England*, and the Guardians or other Persons having the Authority of Guardians* in any Union in *Ireland*, and the Inspector of the Poor in *Scotland*, may give to the Owner of the Ship in which the Seaman is serving a Notice in Writing stating the Proportion of the Seaman's Wages upon which it is intended to make the Claim, and requiring the Owner to retain such Proportion in his Hands for a Period to be therein mentioned, not exceeding Twenty-one Days from the Time of the Seaman's Return to his Port of Discharge, and also requiring such Owner immediately on such Return to give to such Guardians, Overseers, Persons, or Inspector, Notice in Writing of such Return; and such Owner, after receiving such Notice as aforesaid, shall be bound to retain the said Proportion of Wages, and to give Notice of the Seaman's Return accordingly, and shall likewise give to the Seaman, Notice of the intended Claim; and the said Guardians, Overseers, Persons, or Inspector, may upon the Seaman's Return apply in a summary Way in *England* or *Ireland* to any Two Justices having Jurisdiction in such

* As Vice-Guardians, under § 26 of 1 & 2 Vic. c. 56 (p. 20), and § 18 of 10 Vic. c. 31 (p. 140).

Union or Parish as aforesaid, and in *Scotland* to the Sheriff of the County, for an Order for such Reimbursement as aforesaid; and such Justices or Sheriff may hear the Case, and may make an Order for such Reimbursement to the whole Extent aforesaid, or to such lesser Amount as they or he may under the Circumstances think fit; and the Owner shall pay to such Guardians, Overseers, Persons, or Inspector, out of the Seaman's Wages, the Amount so ordered to be paid by way of Reimbursement, and shall pay the Remainder of the said Wages to the Seaman; and if no such Order as aforesaid is obtained within the Period mentioned in the Notice so to be given to the Owner as aforesaid, the Proportion of Wages so to be retained by him as aforesaid shall immediately on the Expiration of such Period, and without Deduction, be payable to the Seaman."

17 & 18 Vic.
c. 104,
MERCHANT
SHIPPING
ACT,
1854

18 & 19 VICT. CAP. 91.

An Act to facilitate the Erection and Maintenance of Colonial Lighthouses, and otherwise to amend the Merchant Shipping Act, 1854.

18 & 19 Vic.
c. 91,
MERCHANT
SHIPPING
AMENDMENT
ACT,
1855.

This Act, passed on 14th August 1855, and cited as "the Merchant Shipping Act Amendment Act, 1855," is to be taken and construed as part of the Merchant Shipping Act, 1854, an extract from which is above given. The following relates to the Relief of Lascars or other Natives of the East India Company's territorial possessions, who may be found destitute in Great Britain or Ireland.

EXTRACT from 18 & 19 Vic. c. 91, as to *Relief of Lascars, &c.*

"§ 22. It shall be the Duty of the East India Company to take charge of and send home or otherwise provide for all Persons, being Lascars or other Natives of the Territories under the Government of the said Company, who are found destitute in the United Kingdom; and if any such Person is relieved and maintained by any Guardians, Overseers, or other Persons administering the Relief of the Poor, such Overseers, Guardians, or other Persons may, by Letter sent through the Post or otherwise, give Notice thereof in Writing to the Secretary of the Court of Directors of the East India Company, specifying, so far as is practicable, the following Particulars; viz.,—

Relief of
Destitute
Lascars, &c.;
and repay-
ment thereof
by East India
Company.

"1. The Name of the Person so relieved or maintained:

"2. The Presidency or District or Part of the Territories of the East India Company of which he professes to be a Native:

"3. The Name of the Ship in which he was brought to the United Kingdom:

"4. The Port or Place abroad from which such Ship sailed, and the Port or Place in the United Kingdom at which such Ship arrived, when he was so

18 & 19 Vic.
c. 91.

East India
Company to
repay Relief
to Lascars.

brought to the United Kingdom, and the Time of such Arrival:

And the said East India Company shall repay to the said Overseers, Guardians, or other Persons, out of the Revenues of the said Company, all Monies duly expended by them in relieving or maintaining such destitute Person, after the Time at which such Notice aforesaid is sent or otherwise given."

MARINE APPRENTICES, AND NAVY BOYS.

Apprentice-
ship of
Pauper Boys
to the
Merchant
Service.

The General Merchant Seamen's Act, 1844, (7 & 8 Vic. c. 112, § 32,) contained provisions authorizing Overseers of parishes and townships to apprentice Parish Boys to the Merchant Sea Service: but the power of apprenticing being given only to the Overseers, or persons having the authority of Overseers, and there being no Parish Overseers of the Poor in Ireland, the act was inoperative in this part of the United Kingdom; and hence the necessity for the following act of 1851 (14 & 15 Vic. c. 35,) in order to extend the benefit of these provisions to Ireland.

Entry of
Pauper Boys
in Royal
Navy.

The latter act empowered the Guardians of Unions in Ireland to apprentice Boys (being in receipt of Poor Law Relief and between certain specified ages,) to the Merchant Service, and to provide an outfit, and defray the necessary expenses for the purpose out of the Poor Rates. Under § 10 of the act, Boys in receipt of relief may also be enabled to enter the Royal Navy, the Guardians being authorized to pay the requisite expense in conformity with the regulations of the service, and charge the same, together with the cost of sending the Boy to Port for entry into the service, upon the rates in like manner.

These powers extend only to Boys who are at the time in receipt of relief, (or whose parents, if living, are receiving relief,) and who are desirous of entering the Naval or Merchant Service, and are found eligible. The act does not authorize apprenticeship in any other case, or of any other class, and does not give any general power of apprenticing to other occupations, or in any manner other than as provided in the act.

The act of 1851 (14 & 15 Vic. c. 35,) has since been repealed (with the exception of § 10, giving authority for

Boards of Guardians to provide for the entry of boys into the Royal Navy, which remains in force and unaltered,) by 17 & 18 Vic. c. 120, "the Merchant Shipping Repeal Act, 1854," and has been consolidated with a number of other statutes, in the general act of 1854, called "the Merchant Shipping Act, 1854" (17 & 18 Vic. c. 104,) in which the substance of the provisions of the act of 1851 have been embodied and re-enacted.

The two acts of 1854 here referred to came into operation on the 1st May, 1855. The provisions contained in them and in the previous acts on this subject are extracted in the following pages.

14 & 15 VICT. CAP. 35.

An Act to extend the Benefits of certain Provisions of the General Merchant Seamen's Act, relating to Apprentices bound to the Sea Service, to Apprentices bound to the Sea Service by Boards of Guardians of the Poor in Ireland^a; and to enable such Guardians to place out Boys in the Naval Service.

14 & 15 Vic.
c. 35,
MARINE AP-
PRENTICES
AND NAVY
BOYS ACT,
1851.

[24th July 1851.]

APPRENTICESHIP TO MERCHANT SERVICE^a.

**WHEREAS by an Act passed in the Eighth Year of the Reign of Her present Majesty, intituled An Act to amend and consolidate the Laws relating to Merchant Seamen, and for keeping a Register of Seamen^b, Power was given to the Overseers of the Poor or other Persons having the Authority of Overseers in any District, Union, Parish, Township or Place in the United Kingdom, in the Manner and subject to the Conditions in the said Act mentioned, to bind and put out as an Apprentice in the Sea Service any Boy, having attained the Age of Twelve Years, of sufficient Health and Strength, who or whose Parents was or were chargeable to such District, Union, Parish, Township, or Place, with his Consent, but not otherwise: And whereas it is expedient to confer upon the several Boards of Guardians in Ireland like Powers in this Behalf, (subject to the Provisions herein contained,) as are by the said recited Act*

7 & 8 Vic.
c. 112.

^a All the provisions of this act, here printed in *Italics*, (except § 10 enabling the Guardians to enter Boys in the Royal Navy,) have since been repealed from 1st May, 1855, by 17 & 18 Vic. c. 120 (p. 299); and provisions to the same effect re-enacted from the same date in the Merchant Shipping Act, 1854 (17 & 18 Vic. c. 104, p. 300).

^b § 32 of 7 & 8 Vic. c. 112 (the General Merchant Seamen's Act, 1844,) now superseded by the Merchant Shipping Act, 1854, (17 & 18 Vic. c. 104).

14 & 15 Vic.
c. 35,
MARINE AP-
PRENTICES
AND NAVY
BOYS ACT,
1851.

Power to
Guardians
or Vice-
Guardians
to appren-
tice Boys
to the Sea
Service:
Age;

Term of Ap-
prenticeship;

Manner of
binding;

Consent of
Guardians

given and conferred upon such Overseers of the Poor: Be it therefore enacted by, &c., That—

1. The Guardians of the Poor of any Union in Ireland, or other Persons duly appointed to carry into execution the provisions of the Acts for the Relief of the destitute Poor in Ireland, and having the Authority of Guardians in such Union, may and they are hereby empowered to bind and put out as an Apprentice in the Sea Service, for not less than Four Years, to any British Subject being the Master or Owner of any Ship registered or licensed in any Port of the United Kingdom, any Boy who has attained the Age of Twelve Years and not more than Seventeen Years, and is of sufficient Health and Strength, and who or whose Parent or Parents is or are receiving Relief in such Union, and who consents to be so bound, until such Boy attains the Age of Twenty-one Years or has served as Apprentice Seven Years, or such other shorter Period (not less than Four Years) as may be fixed and agreed on, whichever first happens, by Indentures to be made in the Form set forth in the Schedule to this Act annexed^a, or as near thereto as the Circumstances of the Case will admit, or in such other Form as may be sanctioned by the Board of Trade in that Behalf, and to bear Date on the Day when the same are executed, and to be prepared in Triplicate, and each Part to be executed in the Presence of the Boy who is bound thereby, and of the Constable or other Person who is employed to conduct him as herein-after mentioned^b, and of Two Justices of the Peace, and to be signed by such Justices in testimony of their being satisfied that such Boy has consented so to be bound, and has attained the Age aforesaid, and is of sufficient Health and Strength, and to be attested by such Constable or other Person; and any such Justice may so act, although he be also a Member of, and acting at, such Board of Guardians: and such Indenture shall have affixed thereto the Official Seal of such Board, and the Signature of the Chairman presiding at some Meeting thereof, and of the Clerk or Person acting as Clerk thereof: and the Guardians or other Persons having the Authority aforesaid, by whom any such Boy is so bound, shall cause his Age to be truly inserted in the Indentures of Apprenticeship to the best of their Belief, and shall if possible procure a Certificate of the Baptism of such Boy, or a Copy of the Entry thereof in the Registry of such Baptism, in proof thereof; and every Certificate of Baptism or such Copy of Entry (if any there be) which is required for the Purpose of ascertaining the Age of any such Boy by any such Guardians or other Persons shall be given and attested by the Person authorized to give the same, without Fee; and the Age of every such Boy inserted in any such Indenture shall, in relation to the Continuance of his Service, be taken to be his true Age, without any further Proof thereof: Provided always, that if the

^a p. 298; and see note ^b thereon.

^b § 2.

Cost of the Relief of such Boy in such Union as aforesaid be chargeable on an Electoral Division of such Union, the Consent in Writing of the Guardian or (where there are more than One) of a Majority of the Guardians of the Poor of such Electoral Division, under his or their Hand or Hands, shall be obtained previously to such Binding as aforesaid, or shall be written or endorsed upon such Indentures (save and except in Cases where paid Officers shall be acting in place of Guardians of the Poor).

14 & 15 Vic.
c. 35.

where Boy is chargeable to Electoral Division.

2. The Guardians or Persons having the Authority aforesaid, by whom any such Boy is bound, shall provide him with a sufficient Outfit of Sea Clothing, Bedding, and similar Necessaries, to the Value of Five Pounds; and shall cause him to be conducted by a Constable or other trustworthy Person to the Port where the Master or Owner of the Ship to whom he is bound is or resides; and shall, if the Master or Shipowner to whom such Apprentice is bound resides in the Port of London, transmit One of the Indentures aforesaid, duly executed and attested, to the Registrar of Seamen^a, and if he resides at any other Port, to the Collector or Controller of Customs at such Port, and shall transmit One other of the said Indentures to the Master or Owner to whom the Boy is bound, and shall retain the Third of said Indentures; and the Expense incurred in the Provision of such Outfit, and the Binding and Conveyance of any such Apprentice, and the Transmission of such Indentures, shall be charged to the Union or Electoral Division, as the Case may be, to which the Boy or his Parent or Parents was or were chargeable at the Time of his being so apprenticed.

Outfit to be provided by Guardians:

Conveyance of Apprentice to Sea-port.

Indentures how to be disposed of.

Expenses chargeable to Union, or Electoral Division.

3. The Indentures so entered into by the Guardians or other Persons having such Authority as aforesaid in any Union in Ireland may be sued upon in the Name of the Guardians of the Poor of such Union for the Time being, by their Name of Office^b; but no Action for the Breach of any Covenant contained in such Indentures shall be commenced by such Guardians or other Persons without the Consent of the Commissioners for administering the Laws for Relief of the Poor in Ireland; and no such Action commenced with such Consent shall abate by reason of Death or any Change of such Guardians or Persons pending the same, but shall be proceeded in by the Guardians or Persons having the Authority aforesaid for the Time being, who shall be entitled to charge the whole Amount of the Costs incurred in such Action and not recovered from the Defendant therein, upon the Union or Electoral Division as aforesaid, as the Case may be, or as such Guardians or Persons aforesaid shall direct, although Part of such Costs may have been incurred by their Predecessors.

Indentures may be sued upon by Guardians;

but no Action without consent of Commissioners.

Action not abated by death or change of Guardians.

^a Provisions as to Registration of Apprentices under this act, § 6, 7, 9 (p. 296-7).

^b See note ^a on § 144 of 17 & 18 Vic. c. 104 (p. 303).

14 & 15 VIC.
c. 35,
MARINE AP-
PRENTICES
AND NAVY
BOYS ACT,
1851.

*Assign-
ments of
Indentures
on Death,
&c., of Mas-
ter: to be
registered.*

*Exemptions
from Contri-
bution to
Hospital
Fund, &c.;
and Stamp
Duty.*

*Termina-
tion of
Apprentice-
ship.*

*Provision in
case Appren-
ticeship ter-
minates
during a
voyage.*

*Indentures,
&c., to be
given up to
Apprentice;
under Pen-
alty for
default.*

*Register
Ticket to be
obtained
before taking
Apprentice
to Sea, and
delivered to
him on ter-
mination of
Apprentice-
ship.*

4. In the event of the Bankruptcy, Insolvency, or Death of the Master of any such Apprentice to the Sea Service, such Master, or his Executors, or Administrators, or, if there are none such, his Widow, may assign the Indenture of such Apprentice for the Residue of the Term then unexpired therein to any other Master or Owner of any such Ship as aforesaid; and the Person to whom any such Assignment is made shall produce the same, if he resides in the Port of London, to the Registrar of Seamen, and if he resides in any other Port, to the Collector or Controller of Customs at such Port, there to be registered and indorsed by such Registrar or Collector or Controller of Customs, and in default shall be liable to a Penalty of Ten Pounds.

5. No Apprentice bound or assigned pursuant to this Act, and no Master or Owner in respect of any such Apprentice, shall be liable to any Payment or Contribution to or towards any Hospital or Institution; and all Agreements, Indentures, Assignments, Counterparts, or Tickets, made under or in pursuance of and in compliance with the Provisions of this Act, shall be exempt from Stamp Duty.

6. Every such Apprenticeship to the Sea Service shall terminate upon the Expiration of Seven Years from the Date of the Indentures of Apprenticeship, or upon the Apprentice attaining the Age of Twenty-one Years, or at any earlier Time fixed by the Indentures, whichever first happens; but if at the Termination of his Apprenticeship the Apprentice is on a Voyage, he shall continue to serve as an Apprentice until the Return of the Ship to her final Port of Destination in the United Kingdom, but shall after One Calendar Month from such Termination be entitled to the same Wages as an Able-bodied Seaman or Ordinary Seaman of the same Ship, engaged at the Commencement of the Voyage in the United Kingdom, according to his Ability and Qualification: and every Person to whom any Apprentice is bound, or to whom his Indenture of Apprenticeship shall have been assigned, shall at the Termination of his Apprenticeship give up to such Apprentice his Indenture of Apprenticeship, together with his Register Ticket, procured in pursuance of the Provisions of the said recited Act^a, and in Default shall for each such Offence be liable to a Penalty of Twenty Pounds: and all Masters of Apprentices under this Act for whom no Register Tickets are already obtained shall, before carrying them to Sea, take them to the General Register Office, or to one of the Custom Houses in the Outports at which the Business of Registration is conducted, and shall there produce the Indentures of Apprenticeship and the Assignments thereof (if any), and a Ticket shall thereupon be granted for each Apprentice, and shall be attached to the Part of Indenture of Apprenticeship retained by the Master, and shall be kept

^a i.e., the General Merchant Seamen's Act, 1844 (7 & 8 Vic. c. 112), now superseded by the Merchant Shipping Act, 1854 (17 & 18 Vic. c. 104).

so attached until the Expiration of the Apprenticeship, and shall then be delivered to the Apprentice with his Indenture as aforesaid, under the Penalty aforesaid^a.

7. No Indenture of Apprenticeship to the Sea Service as aforesaid under this Act shall be cancelled without the Consent of all the Parties thereto, nor without the Consent of the Registrar of Seamen in London or of the Collector or Controller of Customs of the Port in which such Cancellation takes place; and such Consent may be given by the Board of Guardians of the Union concerned, or other Persons having Authority as such, as hereinbefore is mentioned, for the Time being, to be testified by a Copy of a Minute of such Board of Guardians or Persons, signed by the Clerk of the Union for the Time being.

8. Any Justice of the Peace residing at or near to any Port at which any Ship having on board thereof any Apprentice to the Sea Service under this Act arrives, or at any Port at which the Apprentice and his Master may be, may inquire into, hear, and determine all Claims of any such Apprentice upon his Master under his Indentures, and all Complaints of hard or ill Usage exercised by his Master towards him, or of Misbehaviour on the Part of any such Apprentice, and may proceed thereupon as Justices of the Peace are empowered by Law to do between Masters and Apprentices in other Cases: and if the Master of any Ship do not send on shore, in the Charge of the Mate or some other trustworthy Person, any Apprentice desirous of complaining to a Justice of the Peace, so soon as the Service of the Ship will permit, he shall for every such Default be liable to a penalty of Ten Pounds.

9. The several Enactments and Provisions in the said recited Act^b contained for the Protection and Registration of Apprentices, or relating to the granting and cancelling of Registry Tickets, Registry and cancelling of Indentures or Assignments thereof, or to Desertion by Apprentices, and Punishment of Offences, the Recovery and Application of Penalties where not otherwise provided for, and the Recovery of Wages, in case any become due to any Apprentice under this Act, shall apply and extend, or shall be so construed that the same may be extended and applied, to Apprentices bound under this Act by Guardians of the Poor in Ireland, or by other Persons appointed to carry into execution the Provisions of the Acts for the Relief of the destitute Poor in Ireland and having the Authority of such Guardians in any such Union, in like manner, mutatis mutandis, as such Enactments and Provisions apply in the Case of Parish Apprentices bound under the Provisions of the said recited Act^b.

14 & 15 Vic.
c. 35,
MARINE AP-
PRENTICES
AND NAVY
BOYS ACT,
1851.

Indentures not to be cancelled without Consent of parties.

Justices at any Port to hear and determine Complaints between Masters and Apprentices.

Penalty on Master not sending ashore any Apprentice having Complaint to make.

Provisions of General Merchant Seamen's Act to apply as herein.

^a Further provision as to Registration, &c. under this act, in § 9.

^b i.e., the General Merchant Seamen's Act, 1844 (7 & 8 Vic. c. 112), now superseded by the Merchant Shipping Act, 1854 (17 & 18 Vic. c. 104).

14 & 15 Vic.
c. 35,
MARINE AP-
PRENTICES
AND NAVY
BOYS ACT,
1851.

ENTRY OF BOYS IN ROYAL NAVY^a.

Power to put
Boys into the
Royal Navy;
with consent
of Commis-
sioners;

and to charge
Expenses on
the Rates of
the Union or
Division to
which the
Boy is
chargeable.

10^a. If any Boy, not already an Apprentice in the Merchant Service, who, or whose Parent or Parents, shall be receiving Relief in any Union in Ireland, be desirous of serving in the Naval Service of Her Majesty, and be accepted or approved and received by competent Authority in such Service, the Guardians of the Poor of such Union, or the Persons duly appointed and having Authority as such therein, may and they are hereby empowered, with the Consent of the Commissioners for administering the Laws for Relief of the Poor in Ireland, to allow any such Boy, with his Consent, to enter into such Naval Service; and to pay out of the Rates of the Union or Electoral Division, as the Case may be, to which such Boy may at the Time be chargeable, such Sum as may be required by the Regulations of such Service for providing Outfit or otherwise, and also such Expenses as may be necessary to be incurred for the Conveyance of such Boy in charge of a proper Person to the Port or Place in the United Kingdom at which he may be required to attend for Entry into such Service.

SCHEDULE to which the foregoing Act refers^b.

APPRENTICE'S INDENTURE^b.

14 & 15 Vic.
c. 96,
MERCANTILE
MARINE
AMENDMENT
ACT,
1851.

Shipping
Masters to
render
assistance
in facilitat-
ing Appren-
ticeships:

14 & 15 VICT. CAP. 96^c.

*An Act to amend the Mercantile Marine Act, 1850^d.
[7th August 1851.]*

EXTRACT.

§ 14. *All Shipping Masters appointed under the said Mercantile Marine Act, 1850^a, shall, if applied to for the purpose, give to any Board of Guardians or other Persons*

^a All the preceding provisions of this act (§ 1 to 9) which have been here printed in *Italics*, have been repealed from 1st May 1855, by 17 & 18 Vic. c. 120 (p. 299), and provisions to similar effect included in the Merchant Shipping Act, 1854, (17 & 18 Vic. c. 104, p. 300). Section 10 of the present act is, however, unaffected and exempted from repeal (see Schedule in p. 300), and remains in force.

^b The Schedule appended to this act, now repealed (see note ^a, above), merely contains a Form of Indenture referred to in § 1, (p. 294). Under the act of 1854, amending and consolidating the statutes relating to Merchant Shipping, the Board of Trade is to prepare and sanction Forms for the various Instruments, Books, and Papers required under that act; (see § 8, p. 300).

^c The act from which an extract is here given, 14 & 15 Vic. c. 96, and printed in *Italics*, has, like the greater portion of the preceding, and with a number of others, been repealed by 17 & 18 Vic. c. 120 (p. 299); and the substance of the provision here extracted, is embodied in "the Merchant Shipping Act, 1854" (17 & 18 Vic. c. 104); see p. 301.

^d 13 & 14 Vic., c. 93, repealed by act of 1854, 17 & 18 Vic. c. 120.

desirous of apprenticing Boys to the Sea Service, and to Masters and Owners of Ships requiring Apprentices, such Assistance as is in their Power and is consistent with their other Duties, for facilitating the Making of such Apprenticeships, and shall, notwithstanding any thing in the Act of the Ninth Year of Her Majesty Queen Victoria, Cap. 116, or in the Mercantile Marine Act 1850, contained, be entitled to demand and receive from Persons availing themselves of such Assistance, such Fees as may be determined in that behalf by the Board of Trade, with the Concurrence, so far as relates to Parish Apprentices, of the Poor Law Board: and such Fees shall be accounted for and applied in the same Manner as Fees received under the Mercantile Marine Act, 1850^a.

14 & 15 Vic.
c. 69,
MERCANTILE
MARINE
AMENDMENT
ACT,
1851.

*Fees to
Shipping
Masters.*

17 & 18 VICT. CAP. 120.

An Act to repeal certain Acts and Parts of Acts relating to Merchant Shipping, and to continue certain Provisions in the said Acts. [11th August 1854.]

17 & 18 Vic.
c. 120,
MERCHANT
SHIPPING
ACTS RE-
PEAL ACT,
1854.

EXTRACTS.

“WHEREAS by ‘The Merchant Shipping Act, 1854,’ the Acts relating to Merchant Shipping are amended and consolidated; and it is expedient to repeal certain Acts and Parts of Acts relating to Merchant Shipping, and to make temporary Provisions with respect to certain of the Matters referred to in the said Acts: Be it therefore enacted,” &c.

“§ 1. This Act may be cited for all Purposes as ‘The Merchant Shipping Repeal Act, 1854.’” Short Title.

“3. With the Exception of such Provisions of this Act as are hereinafter expressly stated to be intended to come into Operation immediately after the passing thereof, this Act shall come into Operation at the same time as the Merchant Shipping Act, 1854^a. Commence-
ment of Act.

“4. There shall be hereby repealed the several Acts and Parts of Acts set forth in the First Schedule hereto^d, to the Extent to which such Acts or Parts of Acts are therein expressed to be repealed, and all such Provisions of any other Acts, or of any Charters, and all such Laws, Customs, and Rules, as are inconsistent with the Provisions of the Merchant Shipping Act, 1854^b: Repeal of
Acts men-
tioned in
Schedule.

Provided that such Repeal shall not affect * * *

(2.) Any Security duly given before this Act comes into operation:

(3.) Any Thing duly done before this Act comes into operation:

(4.) Any Liability accruing before this Act comes into operation:” * * *

^a See note ^d in preceding page.

^b i.e., 17 & 18 Vic. c. 104 (p. 300).

^c The statute here referred to, passed 10th August, 1854, came into operation on 1st May, 1855 (§ 3, p. 300); and the provisions here extracted from 17 & 18 Vic. c. 120, took effect at that date.

^d *Sic.* There is annexed to the act but one schedule, from which an extract is given in p. 300.

17 & 18 Vic.
c. 120,
MERCHANT
SHIPPING
ACTS RE-
PEAL ACT,
1854.

“SCHEDULE to which this Act refers.”

“ACTS and PARTS of ACTS to be repealed.”

Reference to Act.	Title of Act.	Extent of Repeal.
* * 14 & 15 Vict. cap. 35.	* * * * * An Act to extend the Benefits of certain Provisions of the General Merchant Seamen's Act, relating to Apprentices bound to the Sea Service, to Apprentices bound to the Sea Service by Boards of Guardians of the Poor in Ireland; and to enable such Guardians to place out Boys in the Naval Service.	* * The whole Act, except Sec. 10.
* * 14 & 15 Vict. cap. 96.	* * * * * An Act to amend the Mercantile Marine Act, 1850.	* * The whole Act.”

17 & 18 VICT. CAP. 104.

17 & 18 Vic. c. 104,
MERCHANT SHIPPING ACT,
1854.

An Act to amend and consolidate the Acts relating to Merchant Shipping.

[10th August 1854.]

EXTRACTS, as to the Apprenticeship of Boys to the Sea Service by Boards of Guardians in Ireland.

Short Title. “§ 1. This Act may be cited for all Purposes as ‘The Merchant Shipping Act, 1854.’”

Date of Operation. “3. This Act shall come into Operation on the First Day of May, One thousand eight hundred and fifty-five.”

Forms of Instruments to be issued by Board of Trade. “8. The Board of Trade may from Time to Time prepare and sanction Forms of the various Books, Instruments, and Papers required by this Act, other than those required by the Second Part^b thereof, and may from Time to Time make such Alterations therein as it deems requisite; and shall, before finally issuing or altering any such Form, give such public Notice thereof as it deems necessary in order to prevent Inconvenience; and shall cause every such Form to be sealed with such Seal as aforesaid^c, or marked with some other distinguishing Mark, and to be supplied at the Custom Houses and Shipping Offices^d

^a § 4 (p. 299).

^b “Part II.” of the act relates to the Registry, &c., of British Ships, and not to the subject of the provisions here extracted relating to the Apprenticeship of pauper boys.

^c i.e., the Seal of the Board of Trade.

^d Under § 124 of the act, it is part of the duty of Shipping Masters, where Shipping Offices are established and such officers are appointed by the Local Marine Board, “to facilitate the making of Apprenticeships to the Sea Service.”

of the United Kingdom free of Charge, or at such moderate Prices as it may from Time to Time fix, or may license any Persons to print and sell the same^a; and every such Book, Instrument, and Paper as aforesaid shall be made in the Form issued by the Board of Trade and sanctioned by it as the proper Form for the Time being; and no such Book, Instrument, or Paper as aforesaid, unless made in such Form, shall be admissible in Evidence in any Civil Proceeding on the Part of any Owner or Master of any Ship; and every such Book, Instrument, or Paper, if made in a Form purporting to be a proper Form, and to be sealed or marked as aforesaid, shall be taken to be made in the Form hereby required, unless the contrary is proved."

17 & 18 Vic.
c. 104,
MERCHANT
SHIPPING
ACT,
1854.

Sections 110, 122, and 123 provide that in every seaport in the United Kingdom in which there is a Local Marine Board (which is to be constituted, in manner provided in the act, at those seaports at which such Boards have hitherto been established, and at such other places as the Board of Trade appoints for this purpose), such Board shall establish a Shipping Office or Offices, and appoint Superintendents of such Offices, to be called Shipping Masters, with such other Officers as may be necessary, subject, in certain particulars, to the sanction and control of the Board of Trade: and § 124 declares that "it shall be the general business of Shipping Masters appointed as aforesaid," (amongst other things,) "to facilitate the making of Apprenticeships to the Sea Service," and to perform other duties relating to Merchant Seamen and Merchant Ships. The Shipping Masters are to be entitled to receive certain Fees, to be fixed by the Board of Trade, and a scale of which, prepared by the Board of Trade, is to be conspicuously placed in the Shipping Offices (§ 125): the fee on each apprenticeship effected under these provisions with their aid, is 3s.

The following are further extracts from the act:—

"APPRENTICESHIPS TO THE SEA SERVICE.

"§ 141. All Shipping Masters appointed under this Act shall, if applied to for the Purpose, give to any Board

*Apprentice-
ships to Sea
Service.*

^a See Schedule and note ^b in p. 298. A Form of Indenture for the apprenticeship of Pauper Boys to the Sea Service, as sanctioned and issued by the Board of Trade, may be obtained of the publishers of this work, Messrs. Thom, Abbey-street, Dublin, who are authorized or licensed under this act to print and sell the Forms, &c., issued under its provisions. A copy of the Form of Indenture obtained from them, as prepared and sanctioned by the Board of Trade, will be found in a subsequent part of this volume (Part IV.), with the amendments necessary to adapt it to apprenticeships by Boards of Guardians in Ireland, indicated in a note on the form.

17 & 18 Vic.
c. 104,
MERCHANT
SHIPPING
ACT,
1854.

Shipping
Masters
to assist in
Apprentice-
ships: Fees.

Indentures
of Boys
apprenticed
to Sea Ser-
vice by
Guardians,
&c., to be
witnessed by
Two Justices;
their
functions.

Indentures
exempt from
Stamp Duty;
to be in
duplicate,
and regis-
tered, &c.;
under
Penalty.

Rules for Ap-
prenticeship
of Pauper
Boys in Great
Britain and
Ireland re-
spectively.

of Guardians, Overseers, or other Persons desirous of apprenticing Boys to the Sea Service, and to Masters and Owners of Ships requiring Apprentices, such Assistance as is in their Power for facilitating the making of such Apprenticeships, and may receive from Persons availing themselves of such Assistance such Fees as may be determined in that Behalf by the Board of Trade, with the Concurrence, so far as relates to Pauper Apprentices in *England*, of the Poor Law Board in *England*, and so far as relates to Pauper Apprentices in *Ireland*, of the Poor Law Commissioners in *Ireland*.^a

“142. In the Case of every Boy bound Apprentice to the Sea Service by any Guardians or Overseers of the Poor, or other Persons having the Authority of Guardians of the Poor, the Indentures shall be executed by the Boy and the Person to whom he is bound, in the Presence of and shall be attested by Two Justices of the Peace, who shall ascertain that the Boy has consented to be bound, and has attained the Age of Twelve Years, and is of sufficient Health and Strength, and that the Master to whom the Boy is to be bound is a proper Person for the Purpose.

“143. All Indentures of Apprenticeship to the Sea Service shall be exempt from Stamp Duty; and all such Indentures shall be in Duplicate; and every Person to whom any Boy whatever is bound as an Apprentice to the Sea Service in the United Kingdom shall, within Seven Days after the Execution of the Indentures, take or transmit the same to the Registrar General of Seamen or to some Shipping Master; and the said Registrar or Shipping Master shall retain and record One Copy, and shall indorse on the other that the same has been recorded, and shall re-deliver the same to the Master of the Apprentice; and whenever any such Indenture is assigned or cancelled, and whenever any such Apprentice dies or deserts, the Master of the Apprentice shall, within Seven Days after such Assignment, Cancellation, Death, or Desertion, if the same happens within the United Kingdom, or if the same happens elsewhere, so soon afterwards as Circumstances permit, notify the same either to the said Registrar of Seamen, or to some Shipping Master, to be recorded; and every Person who fails to comply with the Provisions of this Section shall incur a Penalty not exceeding Ten Pounds.

“144. Subject to the Provisions herein-before contained, all Apprenticeships to the Sea Service made by any Guardians or Overseers of the Poor, or Persons having the Authority of Guardians of the Poor, shall, if made in *Great Britain*, be made in the same Manner and be sub-

^a The Fee to the Shipping Master on each apprenticeship under this provision has been fixed at 3s., being the same amount as had been fixed in case of parish apprenticeships in England under the previous act of 1851, 14 & 15 Vic. c. 96, § 14 (p. 298).

ject to the same Laws and Regulations as other Apprenticeships made by the same Persons: and if made in *Ireland*, shall be subject to the following Rules; (that is to say,)

17 & 18 Vic.
c. 104.
MERCHANT
SHIPPING
ACT,
1854.

(1.) In every Union, the Guardians of the Poor or other Persons duly appointed^a to carry into execution the Acts for the Relief of the destitute Poor and having the Authority of Guardians of the Poor, may put out and bind as an Apprentice to the Sea Service any Boy who or whose Parent or Parents is or are receiving Relief in such Union, and who has attained the Age of Twelve Years, and is of sufficient Health and Strength, and who consents to be so bound:

Regulations
for Appren-
ticeship to
Sea Service
by Guardians
in Ireland.

(2.) If the Cost of relieving any such Boy is chargeable to an Electoral Division of a Union, then (except in Cases in which Paid Officers act in Place of Guardians^a) he shall not be bound as aforesaid unless the Consent in Writing of the Guardians of such Electoral Division, or of a Majority of the Guardians (if more than One), be first obtained, such Consent to be, when possible, indorsed upon the Indentures:

(3.) The Expense incurred in the Binding and Outfit of any such Apprentice shall be charged to the Union or Electoral Division (as the Case may be) to which the Boy or his Parent or Parents is or are chargeable at the Time of his being apprenticed:

(4.) All Indentures made in any Union may be sued upon by the Guardians of the Union or Persons having the Authority of Guardians^a therein for the Time being, by their Name of Office^b; and Actions brought by them upon such Indentures shall not abate by reason of Death or Change in the Persons holding the Office: but no such Action shall be commenced without the Consent of the Irish Poor Law Commissioners:

(5.) The Amount of the Costs incurred in any such Action and not recovered from the Defendant therein, may be charged upon the Union or Electoral Division (as the Case may be) to which the Boy or his Parent or Parents was or were chargeable at the Time of his being Apprenticed.

“145. The Master of every Foreign-going Ship shall, before carrying any Apprentice to Sea from any Place in the United Kingdom, cause such Apprentice to appear

Apprentices
and their
Indentures to
be brought

^a Under § 26 of 1 & 2 Vic. c. 56 (p. 20), and § 18 of 10 Vic. c. 31 (p. 140).

^b See § 27 of 1 & 2 Vic. c. 56, which provides “that the Board of Guardians for every Union, including all Persons hereinbefore empowered to act as Guardians,” (i.e. paid officers appointed *vice* Guardians,) “while so acting, shall be and are hereby declared to be a Body politic and corporate, and shall be called by the Name of ‘The Guardians of the Poor of the ——— Union,’ and are hereby enabled by that Name to sue and be sued,” &c. (p. 21).

17 & 18 Vic.
c. 104,
MERCHANT
SHIPPING
ACT,
1854.

—
before Ship-
ping Master
before each
Voyage in
a Foreign-
going Ship.

before the Shipping Master before whom the Crew is engaged, and shall produce to him the Indenture by which such Apprentice is bound, and the Assignment or Assignments thereof (if any); and the Name of such Apprentice, with the Date of the Indenture and of the Assignment or Assignments thereof (if any), and the Name of the Port or Ports at which the same have been registered, shall be entered on the Agreement; and for any Default in obeying the Provisions of this Section, the Master shall for each Offence incur a Penalty not exceeding Five Pounds."

LANDS FOR WORKHOUSES, &c.

7 GEO. 4,
c. 74,
PRISONS
ACT.

—
SITES OF
WORK-
HOUSES, &c.

7 GEO. 4, CAP. 74 :—PRISONS ACT.

The following provisions of the Prisons Act, 7 Geo. 4, c. 74, § 28-32, were made applicable to the purchase or hiring of lands taken for the sites of Workhouses, &c., under § 38, 39 of the Irish Poor Relief Act, and the Acts amending the same: see 1 & 2 Vic. c. 56, § 35-39: 2 Vic. c. 1, § 7, 8: 10 Vic. c. 31, § 20-23: 11 & 12 Vic. c. 25, § 1, 2. By 12 & 13 Vic. c. 104, § 5 (p. 189), the provisions of the Lands Clauses Consolidation Act, 1845 (8 & 9 Vic. c. 18), are now made applicable to the taking of Lands, &c., for the purposes of Unions in Ireland, the Poor Law Commissioners being substituted for the "Promoters of the Undertaking;" and anything required or authorized to be done by the "Promoters of the Undertaking" under the Lands Clauses Consolidation Act "may be done by any Two of the said Commissioners under their Hands and Seal:" (§ 5 of 12 & 13 Vic. c. 104, p. 189).

EXTRACTS FROM PRISONS ACT, 7 GEO. 4, CAP. 74.

Power to
enter, on
Payment or
Tender of
Purchase
Money;
or in certain
cases, on
Lodgment
in Bank:

§ 28. And be it further enacted, That upon Payment or Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or determined and adjusted by any Jury, in Manner respectively herein-before provided, for the Purchase or Rent of any such Lands, Grounds, Houses, Tenements, or other Hereditaments, to the Proprietor or Proprietors of any such Lands, Grounds, Houses, Tenements, or Hereditaments, or to such other Person or Persons as shall be interested therein, or entitled to receive such Money in Manner herein provided respectively, at any

Time after the same shall have been so agreed for or determined; or if the Person or Persons so entitled or interested, or any of them, cannot be found, or shall refuse to receive the same, or shall not be able to make a good Title to such Lands, Grounds, Houses, Tenements, or Hereditaments, to the Satisfaction of the said Commissioners^a, or shall refuse to execute a Conveyance or Conveyances of such Lands, Grounds, Houses, Tenements, or Hereditaments which shall be required for the Purposes of this Act, under the Powers and Authorities herein contained,—then upon Payment of the said Sum or Sums of Money into the Bank of Ireland, as herein-after directed and required, (in case the same shall be requisite,) for the use of such Person or Persons so interested or entitled as aforesaid, it shall be lawful for the said Commissioners^a, and their Agents, Servants, and Workmen, immediately to enter upon and into such Lands, Grounds, Houses, Tenements, and other Hereditaments, respectively; and the Fee Simple and Inheritance thereof, together with the Yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole Property of such Commissioners^a, for the Purposes of this Act: and such Payment or Tender or Investment shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom such Payment or Tender shall or ought to have been made, but shall extend to and be deemed, taken, and construed to bar the Dower of the Wife of every such Person, and all Estates Tail and other Estates in Reversion and Remainder, of his, her, and their Issue, and of any and every other Person or Persons whomsoever therein.

29. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Land, Ground, Houses, Tenements, or Hereditaments, or for any other Matter, Right, or Interest, of what Nature or Kind soever, purchased, taken, or used by Virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or other Person or Persons under any Disability or Incapacity, as herein-before mentioned, such Money shall, in Case it shall amount to or exceed the Sum of Two Hundred Pounds, with all convenient Speed, be paid into the Bank of Ireland, in the Name and with the Privity of the Accountant-General of the Court of Chancery in Ireland, to be placed to his Account *ex parte* the said Commissioners^b, together with the Name or Names of such Person or Persons as any Three^a of the said Commis-

7 GEO. 4,
c. 74,
PRISONS
ACT.

SITES OF
WORK-
HOUSES, &c.

Property
thereupon
vests in the
Commission-
ers.

Payment of
Purchase
Money, when
amounting to
£200, into
Bank, in case
of incapacitated Per-
sons, &c.:

^a See proviso as to Commissioners, in § 38 of Irish Poor Relief Act (p. 31), as modified by § 17, 18 of 10 & 11 Vic. c. 90 (p. 163-4); and see § 5 of 12 & 13 Vic. c. 104 (p. 189).

^b See § 39 of Irish Poor Relief Act (p. 31): and § 8 of Amendment Act, 2 Vic. c. 1 (p. 102).

7 GEO. 4,
c. 74,
PRISONS
ACT.

SITES OF
WORK-
HOUSES, &c.

to be applied
under direc-
tion of Court
of Chancery.

sioners^a shall by Writing signed by them appoint; to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by any Order made upon a Petition to be preferred in a Summary Way by the Person or Persons who would have been entitled to the Rents and Profits of such Lands, Grounds, Houses, Tenements, or Hereditaments, in or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Land, Ground, Houses, Tenements, or Hereditaments, or affecting other Land, Ground, Houses, Tenements, or Hereditaments, standing settled therewith to the same or the like Uses, Intents, or Purposes: or where such Money shall not be so applied, then the same shall be laid out and invested under the Direction and Approbation of the said Court, in the Purchase of other Land, Ground, Houses, Tenements, or Hereditaments, which shall be conveyed to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Land, Ground, Houses, Tenements, and Hereditaments, which shall be purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance shall be existing undetermined and capable of taking Effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery upon Application thereto, be invested by the said Accountant-General, in his Name, in the Purchase of any Stocks, Funds, or Annuities transferable at the Bank of Ireland; and in the meantime and until the said Stocks, Funds, or Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of such Stocks, Funds, or Annuities, shall from Time to Time be paid, by the Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Payment of
Purchase
Money, when
less than
£200 and
above £20, in
case of inca-
pacitated
Persons, &c.:

30. And be it further enacted, That if any Money so agreed to be paid for any Land, Ground, Houses, Tenements, or Hereditaments, purchased, taken, or used, for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two Hundred Pounds, and shall exceed the Sum of Twenty Pounds,—then, and in all such Cases, the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Land, Ground, Houses, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of In-

^a See note ^a as to Commissioners in p. 305.

fancy or Lunacy, to be signified by Writing under their respective Hands, be paid into the Bank of Ireland, in the Name and with the Privy of the said Accountant-General of the Court of Chancery, and to be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise, the same shall be paid at the like Option to two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Commissioners or any Three of them*. such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such principal Money, and the Dividends arising thereon, may be applied in Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

31. And be it further enacted, That where such Money so agreed or awarded to be paid as herein-before mentioned, shall be less than Twenty Pounds,—then, and in all such Cases, the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Land, Ground, Houses, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, as the said Commissioners shall think fit, or in Case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

32. And be it further enacted, That in Case the Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid, shall not be able to make a good Title to any such Land, Grounds, Houses, Tenements, or Hereditaments, to the Satisfaction of the said Commissioners*, or shall refuse to execute such Conveyance or Conveyances, or in Case such Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid cannot be found, or if the Person or Persons so entitled to such Lands, Grounds, Houses, Tenements, or Hereditaments be not known or discovered, then, and in every such Case, it shall be lawful for the said Commissioners* to order the said Sum or Sums so awarded to be paid into the Bank of Ireland, in the Name and with the Privy of the Accountant-General of the said Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Grounds, Houses, Tenements, or Hereditaments (describing such Parties), subject to the Order, Control, and Disposition of the said Court, which said Court, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be, and is hereby empowered, in a

7 GEO. 4,
c. 74,
PRISONS
ACT.

SITES OF
WORK-
HOUSES, &c.

application
thereof.

Application
of Purchase
Money when
under £20.

In case of
Vendor not
making out
good Title,
&c.,

Purchase
Money to be
paid into
the Bank of
Ireland:

its applica-
tion to be
under direc-
tion of Court
of Chancery.

* See note * as to Commissioners in p. 305.

7 GEO. 4,
c. 74,
PRISONS
ACT.
—
SITES OF
WORK-
HOUSES, &c.

Summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of Ireland, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums, mentioning and specifying for what and for whose Use the same is and are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the said Bank as aforesaid.

RATES;

COLLECTION, EXEMPTIONS, DEDUCTIONS, &c.

6 & 7 W. 4,
c. 116,
GRAND JURY
ACT.
—
Collection
of Rate.

The Poor Rate is to be collected, levied, and recovered, under the provisions of the Irish Poor Relief Act, by the same ways and means as County Cess is recoverable, as well as by means specially provided for in certain cases in subsequent acts for the amendment of the Irish Poor Law. The following are provisions from the Grand Jury Act, 6 & 7 Wm. 4, c. 116, and other acts amending the same, for the collection and recovery of County Cess, and made applicable also to the collection and recovery of Poor Rate. See § 73, 78 of Irish Poor Relief Act, 1 & 2 Vic. c. 56; 6 & 7 Vic. c. 92, § 2-6, 11; and further provisions for simplifying and rendering more effectual the proceedings for the recovery of Poor Rates, in certain cases, in 12 & 13 Vic. c. 104, § 15-19, 29, 30 (p. 195, &c.)

EXTRACTS from *Grand Jury Act*, 6 & 7 Wm. 4, c. 116.

Powers of
Collectors.

§ 152. And be it enacted, That every Person duly authorized to collect and levy any Grand Jury Cess off any Barony, County of a City, or County of a Town, as

* By § 11 of 6 & 7 Vic. c. 92 (p. 118) poor rate is declared to be recoverable in the same way in the County and the county of the City of Dublin, as in any other county in Ireland, under the provisions above referred to; and the 11 & 12 Vic. c. 26 (p. 318), gives the Divisional Justices in the City of Dublin the like powers in their district as Justices of Counties, in regard to the recovery of rates: and see 14 & 15 Vic. c. 65 (p. 311), in reference to the county of Dublin.

soon as he shall have received the Applotment of such Cess, shall collect and levy the same according to such Applotment; and such Money may be levied by Distress and Sale of any Goods and Chattels *of every Person refusing to pay* the Proportion therein applotted for him or her to pay, which may be found on the Premises chargeable^a; rendering to the Owner the Overplus (if any), after deducting the Expenses of distraining, not exceeding Twelve Pence in the Pound on the Sum for which such Distress may have been made^b: or in case the Collector shall not think it expedient to proceed by Distress, then and in such Case, such Collector shall leave at the Dwelling-house of the Party chargeable for or in respect of such Premises, a Notice^c bearing Date the Day and Year of serving the same, subscribed with the Name and Abode of such Collector, requiring Payment of the Sum applotted, within Six Days from the Date of such Notice, and expressing that within Six Days the Money demanded may be paid to the Collector at his House or Office; and if such Money be not paid within such Time, then it shall be lawful for such Collector to prefer a Complaint to any Justice of the Peace for the County in which the Party may reside, and such Justice shall summon the Party so complained against^d, to appear before him, and answer the said Complaint, and shall at the Time specified in such Summons, examine into the Matter of such Complaint on Oath (which Oath the Justice is hereby empowered to administer), and shall direct^e the Payment to such Collector, of such Money as he shall find due and payable under such Applotment by the Party complained against, together with a Sum certain as and for such reasonable Costs and Charges as to such Justice shall seem meet^f; and in default of the Appearance of such Party, or upon his or her Refusal or Neglect forthwith to pay the Sum or Sums so by such Justice directed to be paid, it shall and may be lawful for such Justice, or for any Justice of the Peace for such County,

6 & 7 W. 4,
c. 116,
GRAND JURY
ACT.

Collector
may levy by
Distress and
Sale of Goods;

(Limitation
of Costs of
Distress^b.)

or Notice
may be left,
requiring
payment
within six
days;

if not then
paid, Com-
plaint may
be made to a
Justice, who
is to issue
Summons,
and order
payment;
with Costs:

on non-ap-
pearance, or
non-pay-
ment, War-
rant to issue

^a This limitation to the goods and chattels *of the person refusing to pay* has been removed, and the power of distress and sale is extended, for the recovery of *county cess*, to *any* goods and chattels found on the premises chargeable and which would be distrainable for rent: see 13 & 14 Vic. c. 82, § 1 (p. 311). Under 6 & 7 Vic. c. 92, § 6 (p. 112), any goods or chattels, to whomsoever belonging, found on the premises of an *occupier* from whom Poor Rate is due, may be distrained and sold in payment of Poor Rate, as if the same belonged to him. See legal opinions on the provisions for the collection of Poor Rates, in Circulars in Part III.

^b See further provisions in limitation of Costs and Charges on Distresses, in 9 & 10 Vic. c. 111 (p. 312).

^c For Forms for Poor Rate Collector's Notices, see Part IV.

^d Form of Summons, No. 12 (in Part IV.).

^e Form of Justices' Order, No. 13 (in Part IV.).

^f See limitation of costs in previous part of this section, and in 9 & 10 Vic. c. 111 (p. 312).

6 & 7 W. 4.
c. 116,
GRAND JURY
ACT.

—
for Distress
and Sale of
Goods.

to issue his Warrant authorizing and empowering the said Collector to levy the Money thereby ordered to be paid, by Distress and Sale^a of any Goods or Chattels of the Party so complained against, which may be found within any Part of such County, rendering the Overplus (if any) to him or her, the necessary Charges and Expenses of distraining being thereout first deducted^b, as directed by such Justice; and if sufficient Distress cannot be found within the same County, then, on Oath thereof made before any Justice of the Peace of any other County in which any of the Goods and Chattels of such Party shall be found, which Oath such Justice shall administer and certify, by endorsing, in his Handwriting, his Name on the Warrant granted to make such Distress, the Goods or Chattels of such Party so refusing or neglecting to pay as aforesaid, shall be subject and liable to such Distress and Sale in such other County where the same may be found, and may by virtue of such Warrant and Certificate, be distrained and sold in the same Manner as if the same had been found within such first-mentioned County.

Grand Jury
Cess to be
a charge on
the lands,
&c.:

and to be
payable by
the person
occupying at
time of levy:

may be re-
covered by
Civil Bill,
when not ex-
ceeding £50.

153. And be it enacted, That the Sum or Proportion of Grand Jury Cess to be raised off each Barony, or County of a City or Town, under the Treasurer's Warrant, duly applotted for any Person to pay, shall be a Charge upon the Lands and Premises mentioned in such Warrant and Applotment, and shall be paid and payable by the Person or Persons occupying the Premises respectively at the Time such Cess is levied thereout, although such Person or Persons did not occupy the same at the Time such Cess was imposed; and when the Sum payable by any Person or Persons does not exceed Fifty Pounds, may be sued for by Civil Bill, in the Name of the Collector, before the Assistant Barrister having Jurisdiction to hear and determine Causes by Civil Bill in the County, Place, or District, in which the Person liable to pay the Sum resides.

13 & 14 Vic.
c. 82,
COLLECTION
OF RATES,
1850.

13 & 14 VICT. CAP. 82.

An Act to extend the Remedies for the Collection of Grand Jury Cess in Ireland.*

[14th August 1850.]

§ 1. WHEREAS, by an Act of the Sixth and Seventh Years of the Reign of His late Majesty King William the

^a Form of Distress Warrant, No. 14 (in Part IV.).

^b See limitation of costs in previous part of this section, and in 9 & 10 Vic. c. 111 (p. 312).

^c See 14 & 15 Vic. c. 65, § 5 (p. 311), declaring this act to apply to the County of Dublin, in like manner as to other Counties.

Fourth, intituled *An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in Ireland*,* it is amongst other Things enacted, “that every Person duly authorized to collect and levy any Grand Jury Cess off any Barony, County of a City, or County of a Town, as soon as he shall have received the Applotment of such Cess, shall collect and levy the same according to such Applotment; and such Money may be levied by Distress and Sale of any Goods and Chattels of every Person refusing to pay the Proportion therein applotted for him or her to pay, which may be found on the Premises chargeable, rendering to the Owner the Overplus, if any, after deducting the Expenses of distraining,” as therein mentioned; And whereas great Difficulties have of late attended the Collection and Levying of Grand Jury Cess, and it is expedient to extend such Power of Distress and Sale as aforesaid to any Goods or Chattels (save as hereinafter excepted) found on the Premises so chargeable as aforesaid: Be it therefore enacted by, &c., That such Power of Distress and Sale by the said recited Act, or any Act amending the same, provided for the Collection and Levying of Grand Jury Cess in Ireland, shall be extended as follows: that is to say, any such Grand Jury Cess may be levied by Distress and Sale of any Goods and Chattels which may be found on the Premises chargeable therewith (save and except any Goods and Chattels which, if such Distress were for Rent reserved on a Lease for a Term of Years, would be exempt from such Distress), rendering to the Owner of such Goods and Chattels the Overplus, if any, after deducting the Expenses of distraining.

“2. And be it enacted, That the said recited Act and this Act shall be construed together as one Act.

“3. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.”

13 & 14 Vic.
c. 82,
COLLECTION
OF RATES,
1850.

Grand Jury
Cess may be
levied by
Distress and
Sale of any
goods which
may be found
on the pre-
mises charge-
able and
which would
be distrain-
able for rent.

One Act with
6 & 7 Wm. 4.
c. 116.

14 & 15 VICT. CAP. 65.

This act, passed 7th August, 1851, for continuing certain temporary provisions as to the Collection of Grand Jury Cess in Ireland, and other purposes, provides as follows in reference to the County of Dublin:

14 & 15 Vic.
c. 65,
COLLECTION
OF RATES,
CO. DUBLIN,
1851.

EXTRACT from 14 & 15 Vic. c. 65.

§ 5. AND whereas an Act was passed in the 13th & 14th Years of Her Majesty's Reign, intituled *An Act to extend the Remedies for the Collection of Grand Jury Cess*

Foregoing act
13 & 14 Vic.
c. 82, applied
to County of
Dublin.

14 & 15 Vic. in Ireland^a; And whereas Doubts are entertained whether
c. 65, such Act extends to the Collection of County Cess in the
COLLECTION County of Dublin: Be it enacted, That in the County of
OF RATES, Dublin any Grand Jury Cess may be levied by like Re-
Co. DUBLIN, medies, in like Manner, and subject to like Provisions,
1851. as in the said recited Act contained and provided, for the
Collection of Grand Jury Cess in other Counties.

9 & 10 Vic.
c. 111,
LIMITATION
OF COSTS IN
DISTRESSES
FOR RATES,
&c.

9 & 10 VICT. CAP. 111.

An Act to amend the Law in Ireland, as to Ejectments
and Distresses, and as to the Occupation of Lands.

This Act, passed 28th August, 1846, contains some
provisions for the Limitation of Costs of Distresses for
recovery of Rates and Taxes, as well as Rents, where
the sum due does not exceed £20; and the following
provisions are extracted in reference to the recovery of
Poor Rates, and the Costs of Distresses for the same.
The provision in § 13 abolishes the power of seizing
Growing Crops, for Rent; and an opinion has been ex-
pressed that growing crops ought not to be seized for Rates^b.

EXTRACTS from 9 & 10 Vic. c. 111.

Distraining
of growing
crops:
provision in
56 Geo. 3, c.
88, repealed.

§ 13. "AND whereas by an Act passed in the Fifty-sixth
year of his late Majesty King George the Third, intituled
*An Act to amend the Law of Ireland, respecting the Re-
covery of Tenements from absconding, overholding, and
defaulting Tenants, and for the Protection of the Tenant
from undue Distress*, it is enacted, 'That it shall be
lawful for every Lessor or Landlord in that Part of the
United Kingdom of Great Britain and Ireland, called
Ireland, or his, her, or their Steward, Bailiff, Receiver,
or other Person or Persons empowered by him, her, or
them to take and seize as a Distress for Arrears of Rent,
all Sorts of Corn and Grass, Hops, Roots, Fruit, Pulse, or
other Product whatsoever, which shall be growing on any
Part of the Estates so demised or holden as a Distress for
Arrears of Rent, and the same to cut, gather, make, cure,
carry, and lay up, when ripe, in the Barns or other proper
Place on the Premises so demised or holden, and in case
there shall be no Barn or proper Place on the Premises so
demised or holden, then in any other Barns or proper
Place, which such Lessor or Landlord, Lessors or Land-
lords, shall hire or otherwise procure for that Purpose, and
as near as may be to the Premises, and dispose of the

^a 13 & 14 Vic. c. 82 (p. 310).

^b See Poor Law Commissioners' Circular of 16 Nov. 1848, (in
Part III.)

same for Satisfaction of the Rent for which such Distress shall have been taken, and of the Charges of such Distress and Sale, in the same Manner as any other Goods and Chattels distrained for Non-payment of Rent:’ And whereas it is expedient that the said recited Enactment should be repealed: Be it therefore enacted, That the said Enactment of the said recited Act shall be and the same is hereby repealed, save and except as to any Distress made or commenced before the passing of this Act^a.”

9 & 10 Vic.
c. 111,
LIMITATION
OF COSTS.

“15. And whereas it is expedient to limit and regulate the Costs of Distresses in Ireland, as it has been done in England by an Act passed in the Fifty-seventh Year of His late Majesty King George the Third, intituled ‘*An Act to regulate the Costs of Distresses levied for Payment of small Rents*,’ as amended by an Act of the Seventh and Eighth Years of the Reign of His late Majesty King George the Fourth:—Be it enacted, That from and after the passing of this Act, no Person whatsoever making any Distress for Rent, or for any Rates, Taxes, Impositions, or Assessments, where the Sum demanded and due shall not exceed the Sum of Twenty Pounds for and in respect of such Rent or Rates, Taxes, Impositions or Assessments, save as hereinafter provided, —nor any Person whatsoever employed in any Manner in making such Distress, or doing any Act whatsoever in the course of such Distress, or for carrying the same into effect,—shall have, take or receive out of the Produce of the Goods or Chattels distrained upon and sold, or from the Tenant distrained on, or from the Landlord, or from any other Person whatsoever, any other or more Costs and Charges for and in respect of such Distress, or any Matter or Thing done therein, than such as are fixed and set forth in the Schedule (B) hereunto annexed^b and appropriated to each Act which shall have been done in the course of such Distress; and no Person or Persons whatsoever shall make any Charge whatsoever for any Act, Matter, or Thing mentioned in the said Schedule, unless such Act shall have been really done: Provided always, that in any case in which a less Amount than the Amount specified in the said Schedule shall have been prescribed by an Act or Acts of Parliament, or shall in pursuance of the Provisions of or the Power given by any Act or Acts of Parliament, be specified in the Warrant by which the Distress or Levy shall be made, such less Amount only shall be demanded, taken, or levied for or in respect of such Costs and Charges^c; anything in this Act to the contrary notwithstanding.

57 G. 3, c. 93.

7 & 8 G. 4,
c. 17.

Distress for
Rates, &c.;
Limitation of
Costs and
Charges,
where the
sum due does
not exceed
£20.

^a See Commissioners’ Circular of 16th November, 1848, as to distraining growing crops for Poor Rate (in Part III.) ^b p. 317.

^c Under § 152 of 6 & 7 Wm. 4, c. 116 (p. 309) and § 73 of 1 & 2 Vic. c. 56 (p. 56), the expenses of distraining for Poor Rate are not to exceed one shilling in the pound on the amount for which the distress is made.

9 & 10 Vic.
c. 111,
LIMITATION
OF COSTS.

Appeal
against Costs
or Charges
beyond the
limited
Amount :

One Justice
may summon
before Jus-
tices in Petty
Sessions,
who are to
examine and
adjudge the
Case :

Treble the
Amount
illegally
taken, may
be ordered
to be paid,
with Costs :

and may be
levied by
Distress :

in default of
sufficient
Distress
offender may
be impris-
oned.

Justices may
summon
Witnesses,
and admin-
ister Oaths,
under Penal-
ties.

“ 16. And be it enacted, That if any Person or Persons whatsoever shall, in any Manner, levy, take, or receive from any Person or Persons whatsoever, or retain or take from the Produce of any Goods sold for the Payment of such Rent or Taxes, Rates, Impositions, or Assessments, any other or greater Costs and Charges than are mentioned and set down in the said Schedule^a, or make any Charge whatsoever for any Act, Matter, or Thing mentioned in the said Schedule and not really done, it shall be lawful for the Party or Parties aggrieved by such Practices, to apply to any one Justice of the Peace for the County, City, Town, and acting for the Division where such Distress shall have been made or in any Manner proceeded in, for the Redress of his, her, or their Grievance so occasioned ; whereupon such Justice shall summon the Person or Persons complained of to appear before the Justices of the Petty Sessions for such District, at a reasonable Time to be fixed in such Summons ; and such Justices shall examine into the Matter of such Complaint by all legal Ways and Means, and also hear in like Manner the Defence of the Person or Persons complained of : and if it shall appear to such Justices, that the Person or Persons complained of, shall have levied, taken, received, or had other and greater Costs and Charges than are mentioned or fixed in the Schedule (B) hereunto annexed^a, or made any Charge for any Matter or Thing mentioned in the said Schedule, such Act, Matter or Thing, not having been really done, such Justices shall order and adjudge treble the Amount of the Monies so unlawfully taken, to be paid by the Person or Persons so having acted, to the Party or Parties who shall thus have preferred his, her, or their Complaint thereof, together with full Costs ; and in case of Non-payment of any Monies or Costs so ordered and adjudged to be paid, such Justices shall forthwith issue their Warrant to levy the same by Distress and Sale of the Goods and Chattels of the Party or Parties ordered to pay such Monies or Costs, rendering the Overplus (if any) to the Owner or Owners, after the Payment of the Charges of such Distress and Sale ; and in case no sufficient Distress can be had, such Justices shall, by Warrant under their Hands, commit the Party or Parties to the Common Gaol or Prison within the Limits of the Jurisdiction of such Justices, there to remain until such Order or Judgment be satisfied.

“ 17. And be it enacted, That it shall be lawful for such Justices, at the Request of the Party complaining or complained against, to summon all Persons as Witnesses, and to administer an Oath to them touching the Matter of such Complaint, or the Defence against it ; and if any Person or Persons so summoned shall not obey such Summons, without any reasonable or lawful Excuse, or refuse to be examined upon Oath, (or, if a Quaker, Moravian,

^a Schedule B, p. 317.

or Separatist, upon solemn Affirmation,) then every such Person so offending shall forfeit and pay a Sum not exceeding Forty Shillings, to be ordered, levied, and paid in such Manner, and by such Means, and with such Power of Commitment as is hereinbefore directed as to such Order and Judgment to be given between the Party or Parties in the original Complaint, excepting so far as regards the Form of the Order, and hereinafter provided for.

“18. And be it enacted, That it shall be lawful for such Justices, if they shall find that the Complaint of the Party or Parties aggrieved is not well founded, to order and adjudge Costs, not exceeding Twenty Shillings, to be paid to the Party or Parties complained against; which Order shall be carried into effect, and levied and paid in such Manner and with like Power of Commitment as is hereinbefore directed as to the Order and Judgment founded on such original Complaint; Provided always, that nothing herein contained shall empower such Justices to make any Order or Judgment against the Landlord for whose Benefit any such Distress shall have been made, unless such Landlord shall have personally levied such Distress; Provided also, that no Person or Persons who shall be aggrieved by any Distress for Rent, Taxes, Rates, Impositions, or Assessments, or by any Proceedings had in the course thereof, or by any Costs and Charges levied upon them in respect of the same, shall be barred from any legal or other Suit or Remedy which he, she, or they might have had before the passing of this Act; excepting so far as any Complaint to be preferred by virtue of this Act shall have been determined by the Order and Judgment of the Justices before whom it shall have been heard and determined; and which Order and Judgment shall and may be given in Evidence, under the Plea of the General Issue, in all Cases where the Matter of such Complaint shall be made the Subject of any Action.

“19. And be it enacted, That such Orders and Judgments on such Complaint shall be made in the Form in the Schedule (B.) hereunto annexed^a, and may be proved before any Court by Proof of the Signature of the Justices to such Order and Judgment: and such Orders, as regards Persons who may have been summoned as Witnesses, shall be made in such Form as to such Justice shall seem most fit and convenient.

“20. And be it enacted, That every Broker, Bailiff, or other Person, who shall make and levy any Distress whatsoever, shall, if the same shall be demanded by the Party distrained, give a Copy of his Charges, and of all the Costs and Charges of the Distress whatsoever, signed by him, to the Person or Persons on whose Goods and Chattels any Distress shall be levied, although the Amount of the Rent, Taxes, Rates, Impositions, or Assessments demanded shall exceed the Sum of Twenty Pounds; and upon default of so doing, he shall be liable to forfeit any

9 & 10 Vic.
c. 111,
LIMITATION
OF COSTS.

If complaint unfounded, Justices may give Costs to the Party complained against, not exceeding 20s.

Parties not barred from other legal remedies.

Signature of the Justices Proof of Judgment.

Person levying a Distress to give Copy of his Costs and Charges on demand, in any case: under Penalty for default.

^a p. 316.

9 & 10 Vic.
c. 111,
LIMITATION
OF COSTS.

Printed copy
of certain
clauses of
this Act to
be hung up
in Sessions
Houses.

Sum not exceeding Forty Shillings, to be recovered before any two Justices of the Peace acting for such District, and levied under the Warrant of such Justices, by Distress and Sale of the Goods of the Persons so making Default.

“21. And be it enacted, That a fair printed copy of the clauses of this Act, and of the Schedule (B.) thereto annexed, which regulate or relate to the Costs of Distresses*, shall be hung up in some convenient Place in such Halls or Rooms where the Justices of each and every County, County of a City, or County of a Town in Ireland, hold either their Quarter or Petty Sessions.”

SCHEDULE (B) referred to in foregoing provisions.^b

“SCHEDULE (B).

“As to Costs on Distresses for Rents, or Rates, Taxes, Impositions, and Assessments.

“*Form of the Order and Judgment of the Justices before whom Complaint is preferred, where the Order and Judgment is for the Complainant.*

“In the Matter of the Complaint of A. B. against C. D. for a Breach of the Provisions of an Act of the Ninth and Tenth Years of Her Majesty Queen Victoria, intituled ‘An Act’ [*here insert the Title of this Act*], We, E. F. and G. H., Justices of the Peace for the County of _____ and acting within the District of _____ do order and adjudge that the said C. D. shall pay to A. B. the Sum of _____ as a Compensation and Satisfaction for unlawful Charges and Costs levied and taken from the said A. B. under Distress for Rent, [*or Rates, Taxes, Impositions or Assessments, or as the case may be,*] and the further Sum of _____ for Costs on this Complaint.

Signed,

E. F.

G. H.

“*Form of the Order and Judgment of the Justices, where they dismiss the Complaint as unfounded, and with or without Costs as the case may be.*

“In the Matter of the Complaint of A. B. against C. D. for the Breach of the Provisions of an Act of the Ninth and Tenth Years of Her Majesty Queen Victoria, intituled ‘An Act’ [*here insert the Title of this Act*], We, E. F. and G. H., Justices of the Peace for the County of _____ and acting within the District of _____ do order and adjudge that the Complaint of the said A. B. is unfounded, and the same is hereby dismissed; [*if Costs are given,* and we do further order and adjudge that the said A. B. shall pay unto the said C. D. the sum of _____ for Costs.]

Signed,

E. F.

G. H.

^a Schedule, page 317.

^b § 15-21, p. 313-6.

“ *Schedule of the Limitation of the Costs and Charges on Distresses for Small Rents, or Rates, Taxes, Impositions, or Assessments, not exceeding Twenty Pounds.* ”

9 & 10 Vic.
c. 111,
LIMITATION
OF COSTS.

	£	s.	d.
Levying Distress,	0	2	0
Man in Possession, per Day, each (but not exceeding Two in Number, unless upon Information sworn before a Justice, that a Rescue or Violence is apprehended)	0	2	0
All Expenses of Advertisements, if any such,	0	5	0
Catalogues, Sale, and Commission, and Delivery of Goods, 1s. in the Pound on the net Produce of the Sale, if sold by a licensed Auctioneer; otherwise 6d. in the Pound on the net Produce of the Sale.”			

JUSTICES' POWERS; &c.

6 VICT. CAP. 8.

6 Vic. c. 8,
JUSTICES'
POWERS.

An Act to empower Justices of the Peace in *Ireland* to act in certain Cases relating to Rates to which they are chargeable. [3rd April 1843.]

§ 1. WHEREAS Doubts have arisen, whether Justices of the Peace in *Ireland* may lawfully act in Cases relating to Cesses, Rates, and Taxes, to which such Justices respectively are rated or chargeable: be it therefore enacted by, &c., That it shall and may be lawful to and for all and every Justice or Justices of the Peace for any County, County of a City, or County of a Town, or Borough or Town Corporate in *Ireland*, within their respective Jurisdictions, to do and perform all Acts appertaining to their Office as Justice or Justices of the Peace under or in execution of the Laws for the Presentment of Public Money by Grand Juries in *Ireland*, or the Laws for the more effectual Relief of the Destitute Poor in *Ireland*, or for the Apprehension and Punishment of Vagrants^a, or under an Act passed in the Ninth Year of the Reign of His Majesty King George the Fourth, intituled *An Act to make Provision for Lighting, Cleansing, and Watching of Cities, Towns Corporate, and Market Towns in Ireland, in certain Cases*^b, or under or in execution of any other Laws concerning local Cesses, Rates, or Taxes, notwithstanding any such Justice or Justices is or are rated to or chargeable with the Cesses, Rates, or Taxes, affected by such Act or Acts of such Justice or Justices as aforesaid.

2. And be it enacted, That no Act of any such Justice Past acts

^a Irish Vagrancy Act, 10 & 11 Vic. c. 84 (p. 152).

^b Abstract of this act, 9 Geo. 4, c. 82, post.

6 VIC. c. 8, JUSTICES' POWERS.
 or Justices done before the passing of this Act shall hereafter be quashed or declared void because the same has been done by any such Justice or Justices so rated or chargeable as aforesaid.
 3. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

12 VIC. c. 16, JUSTICES' PROTECTION.

12 & 13 VICT. CAP. 16.

An Act to protect Justices of the Peace in *Ireland* from Vexatious Actions for Acts done by them in the Execution of their Office.

This act, which was passed 11th May 1849, came into operation on 2nd October, 1849, and was passed for the protection of Justices of the Peace in *Ireland* in the execution of their duties. The following section relates to Justices' Warrants of Distress for Poor Rates.

EXTRACT from 12 & 13 Vic. c. 16.

No action for issuing a Distress Warrant for Rate, to lie on account of defect or error in Rating. No Action to lie against Justices for manner of exercising a discretionary power.

§ 4. And be it enacted, That where any Poor Rate shall be made, allowed, and published, and a Warrant of Distress shall issue against any Person named and rated therein, no Action shall be brought against the Justice or Justices who shall have granted such Warrant, by reason of any Irregularity or Defect in the said Rate, or by reason of such Person not being liable to be rated therein: and that in all Cases where a discretionary Power shall be given to a Justice of the Peace by any Act or Acts of Parliament, no Action shall be brought against such Justice for or by reason of the Manner in which he shall have exercised his Discretion in the Execution of any such Power.

11 & 12 VIC. c. 26, DIVISIONAL JUSTICES' POWERS, IN DUBLIN POLICE DISTRICT.

11 & 12 VICT. CAP. 26.

An Act to remove Difficulties in the Appointment of Collectors of Grand Jury Cess in *Ireland*, in certain Cases; and to remove Doubts as to the Jurisdiction of the Divisional Justices of the Police District of *Dublin* Metropolis, relating to the Recovery of Poor Rates and other Cases.
 [Passed 30th June 1848.]

EXTRACT, so far as relates to the Recovery of Poor Rates.

§ 6. AND whereas by the said recited Act of the Sixth and Seventh Years of His said late Majesty^a it is amongst other things enacted, that it shall be lawful for every

^a Grand Jury Act, 6 & 7 Wm. 4, c. 116, § 152 (p. 209).

Person duly authorized to collect and levy any Grand Jury Cess off any Barony, County of a City, or County of a Town, in Default of Payment of any such Grand Jury Cess by the Party chargeable therewith, within the Time therein specified, to prefer a Complaint to any Justice of the Peace of the County in which such Party may reside; and such Justice is empowered to summon such Party, and to direct Payment of such Money to such Collector, or to issue his Warrant for the Levy thereof by Distress and Sale of the Goods and Chattels of the Party complained against, as in the said recited Act more particularly mentioned^a: And whereas by an Act of the First and Second Years of the Reign of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in Ireland*, it is amongst other things enacted^b, that every Rate made under the Authority of the said Act now in recital on each Electoral Division shall and may be collected and levied, sued for and recovered, by such and the same Ways and Means as the Grand Jury Cess, or the Money applotted on the several Persons liable to pay the same, may be collected and levied: And whereas by an Act of the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act for the further Amendment of an Act for the more effectual Relief of the destitute Poor in Ireland*, it is amongst other things enacted^c, that any Rate or Rates made as therein mentioned on any Lessor in respect of any Property, whether occupied by One or more Occupiers, should be recovered by the Ways and Means therein mentioned, and, amongst others, that it should be lawful for the Collector to prefer a Complaint to any Justice of the Peace of the County in which such Lessor may reside, and such Justice is empowered to summon such Lessor so complained against to appear before him in Petty Sessions, and is also empowered to direct Payment of such Money to such Collector, and in Default of Payment that it should be lawful for such Justice, or any Justice of the Peace for such County, to issue his Warrant for the Levy thereof by Distress and Sale of the Goods of such Lessor, as in the said Act more particularly mentioned^e; and it is by the said last-recited Act also enacted^d, that every Rate made under the Authority of the said Act now in recital, or the therein first-recited Act, on any Electoral Division in the County or the County of the City of *Dublin*, and any Money authorized and directed to be levied under any Warrant for the levying of Poor Rate in the said County or the County of the City of *Dublin*, shall and may be collected and levied, sued for and recovered, by such and the same

11 & 12 Vic.
c. 26,
DIVISIONAL
JUSTICES'
POWERS, IN
DUBLIN
POLICE
DISTRICT.

1 & 2 Vic.
c. 56.

6 & 7 Vic.
c. 92.

6 & 7 Vic.
c. 92.

^a Grand Jury Act, 6 & 7 Wm. 4, c. 116, § 152 (p. 309).

^b § 73 of 1 & 2 Vic. c. 56 (p. 56).

^c § 2, 4, of 6 & 7 Vic. c. 92 (p. 106, 109).

^d § 11 of 6 & 7 Vic. c. 92 (p. 118).

11 & 12 Vic.
c. 26,
DIVISIONAL
JUSTICES'
POWERS, IN
DUBLIN
POLICE
DISTRICT.

The Divisional Justices of Dublin to have Powers in their Jurisdiction, relating to Recovery of Poor Rates, as County Justices:

Divisional Justices empowered to act at their respective Offices in all Cases as other Justices are empowered to act.

Ways and Means and with the like Remedies and Powers in case of Nonpayment, as the Grand Jury Cess, or the Money applotted on the several Persons liable to pay the same, may be collected in any other County in *Ireland*^a: And whereas Doubts exist whether the Divisional Justices of the Police District of *Dublin* Metropolis can be deemed to be Justices of the Peace of the County of the City of *Dublin* or for the County of *Dublin* within the said Police District, so as to have or exercise Jurisdiction for the Hearing of Complaints as to Non-payment of Poor Rates or for the Recovery of Poor Rates within the said Police District, within the Meaning of such said recited Provisions; and Doubts also exist whether the several Police Offices at which such Divisional Justices preside and officiate within the said Police District can be deemed to be Petty Sessions, within the Meaning of the said last-recited Act or of the several Acts authorizing or directing any Proceedings to be taken by or before a Justice or Justices of the Peace at Petty Sessions, or before Justices of the Peace of a County, County of a City, County of a Town or Place, or before two or more Justices when met or assembled: For the Removal of such Doubts be it therefore enacted, That the several Divisional Justices of the Police District of *Dublin* Metropolis shall, for the Purposes of the said Acts of the First and Second Years of Her Majesty's Reign and of the Sixth and Seventh Years of Her Majesty's Reign, and of all and every other Act or Acts heretofore made or hereafter to be made^b with respect to the raising, levying, or enforcing Payment of any Rate for the Relief of the destitute Poor in Ireland, have and exercise the same Powers, Authorities, and Jurisdiction within the Police District of *Dublin* Metropolis, as any Justice or Justices of the Peace of any County has or have or can have or exercise within his or their respective County, in respect to any Rates made or to be made for Relief of the destitute Poor in Ireland: and that wherever, in any Act now in force or which shall hereafter be in force in Ireland, any Proceeding, Matter, or Thing is or shall be authorized or directed to be taken, entertained, inquired into, or done by a Justice or Justices of the Peace at Petty Sessions, or by Justices of the Peace of any County, County of a City, County of a Town or Place, or by Justices of the Peace, or any Two or more of them met and assembled, the said Divisional Justices of the Police District of *Dublin* Metropolis, or any One or more of them, shall have and shall and may exercise all such Powers and Authorities and Jurisdictions at the several Divisional Police Offices within such Police District of *Dublin* Metropolis at which such Divisional Justices or Justice shall at the Time be respectively presiding or officiating, as any

^a § 11 of 6 & 7 Vic., c. 92, (p. 118).

^b Irish Poor Relief Acts, 1 & 2 Vic. c. 56 and 6 & 7 Vic. c. 92, &c., ante.

Justice or Justices at Petty Sessions, or any Justice or Justices as aforesaid, are or shall be authorized or directed to have or exercise within their respective Jurisdictions.

11 & 12 Vic.
c. 26.

CIVIL BILLS.

14 & 15 VICT. CAP. 57.

An Act to consolidate and amend the Laws relating to Civil Bills and the Courts of Quarter Sessions in Ireland, and to transfer to the Assistant Barrister certain Jurisdiction as to Insolvent Debtors.

14 & 15 Vic.
c. 57,
CIVIL BILLS
ACT,
1851.

This act, passed 1st August, 1851, took effect (§ 164) from and after 31st August 1851. The following is an abstract of some of its provisions, as relating to proceedings by Civil Bill for recovery of Poor Rate, mode of service, &c.

The preamble recites that the recovery of small debts by Civil Bill having been found beneficial, it would conduce to improvement in the administration of justice, if the several statutes and parts of statutes relating to the recovery of small debts by Civil Bill, and of tenements by Civil Bill Ejectments, and relating in other respects to the jurisdiction of the Civil Bill Courts, were consolidated, with such additions and alterations as are contained in the act, and if the previously existing acts relating to these matters were repealed. The first section then repeals certain acts and portions of acts, set forth in a schedule; but no parts of the Irish Poor Relief Acts, or other acts contained in a previous portion of this volume, are included or mentioned in the schedule. The section, however, has general words including in addition to the provisions specified in the schedule, all other acts or portions of acts which are at variance with the provisions of the present act.

The following are the terms of the section, and some other sections relating to service of process, &c. in Civil Bill Cases.

EXTRACTS from *Civil Bills Act of 1851*, 14 & 15 Vic. c. 57.

“§ 1. From and after the commencement of this Act^a the several Acts and parts of Acts set forth in the Schedule (A) to this Act annexed^b, to the Extent to which

^a i. e., from and after 31st August, 1851 (§ 164).

^b The Schedule does not include any of the acts, or portions of them, contained in the other parts of this volume, and it is, there-

14 & 15 VIC.
c. 57,
CIVIL BILLS
ACT,
1851.

Repeal of all
Acts and
portions of
Acts at
variance with
Provisions of
this Act.

Cases within
the Jurisdic-
tion of
Assistant
Barrister.

such Acts or parts of Acts are by such Schedule expressed to be repealed, and every other Act or Acts, and such *Parts of every other Act or Acts as shall be inconsistent with this Act*, shall be and they are hereby repealed, except as to anything heretofore done, and except so far as any of the said Acts or parts of Acts, *whether mentioned or included in the said Schedule or not*, repeal any former Act or part of an Act," &c.

In regard to the Extent of the Assistant Barrister's Jurisdiction, the 35th section provides as follows:—

"§ 35. From and after the commencement of this Act, it shall and may be lawful for each and every Assistant Barrister to hear and determine, by Civil Bill, all Disputes and Differences between Party and Party for any Sum, Damages or Penalty not exceeding Forty Pounds sterling in all Cases whatsoever (Slander, Libel, Breach of Promise of Marriage, and Criminal Conversation with a Man's Wife, only excepted); and for any ascertained and unpaid Balance not exceeding Forty Pounds of a Partnership Account; and also *in all Actions by Civil Bill under any Act or Acts of Parliament now in force in Ireland and not hereby repealed, giving a Remedy by Civil Bill in any particular Cases, to the Extent^a and pursuant to the Provisions of the said Act or Acts respectively*: Provided always, that the several Assistant Barristers may award Interest in all Cases where in Equity Interest ought to be decreed, so that the Debt or Damages and Interest shall not together exceed the Amount of the Jurisdiction according to the Nature of the Case."

The following provisions relate to Service of Process in Civil Bill Cases:—

Process
Officers:—
Persons
specially
appointed or
to be appoint-
ed by Assist-
ant Barris-
ters, to serve
Civil Bill
Processes:

"§ 15. The several Persons now holding the Office of Process Officer or Process Server in the several Counties and Ridings shall continue to hold the same as heretofore, until removed by the Chairman or Assistant Barrister of their respective Counties or Ridings; and [that^b] at the several Sessions of the Peace in and for the several Counties or Ridings which shall be holden after the passing of this Act, or at such other Times as Occasion may require, the Chairman and each and every of the Assistant Barristers shall and may, by Warrant under his Hand and

fore, unnecessary to print the schedule herein: but the general words (here printed in *italics*) referring to other acts besides those specified in the schedule, appear to render the course of proceeding by Civil Bill under the Poor Law or other acts subject to the provisions of the present act.

^a In the Irish Poor Relief Acts there is no express limitation in extent or amount for which Civil Bill proceedings may be taken for recovery of poor rate: but under the provisions of the Grand Jury Act, made applicable to the collection and recovery of poor rate, grand jury cess is made a charge on the lands, and may be recovered by Civil Bill where the sum payable by any person does not exceed £50; see § 153 of 6 & 7 Wm. 4, c. 116 (p. 310). ^b Sic.

Seal, from Time to Time, appoint such Number of fit and proper Persons, being Householders, residing in the principal Market Towns or in other convenient Places, within the said Counties or Ridings, as to the said Chairman or Assistant Barrister shall from Time to Time appear to be necessary, to be Officers for the Service of Civil Bill Processes within such County or Riding, as shall be specified in any such Warrant: and it shall be lawful for each and every such Officer heretofore or hereafter so appointed, and he and they is and are hereby authorized and required, to serve such Process accordingly, within such County or Riding, or within such Division of such County or Riding as aforesaid; and it shall not be lawful for any Person whomsoever, other than one of such Officers, so heretofore appointed or hereafter to be appointed, to serve any such Process; and [that^a] any Service or pretended Service of any Process by any other Person whomsoever (save as herein-after provided^b) shall be wholly null and void to all Intents and Purposes whatsoever: and [that^a] any such Officer already appointed for the Service of Process shall be removable, and shall and may be removed, at the Will and Pleasure of the Chairman or Assistant Barrister of the County or Riding for the Time being: Provided always, that nothing herein contained shall prevent the Service of any Process in any Proceeding by Ejectment or Replevin by any Person other than such Process Officer."

§ 16 directs that the Name and Place of Abode of every Officer appointed to serve Civil Bill Processes, and also the Name and Place of Abode of every person removed from the office of Process Officer, shall be published in some Newspaper or Newspapers circulated in the County or Riding, and shall be otherwise promulgated and made known in such manner and at such times as to the Chairman or Assistant Barrister shall seem expedient. Under § 17, a fixed annual Salary is to be paid to officers serving processes, (£10 a-year for each officer,) by the Collector of Excise, on a Certificate of the Assistant Barrister; and they are to receive Fees in addition as follows:—

"§ 18. It shall be lawful for any Officer already appointed or who shall be hereafter appointed by the Chairman or any Assistant Barrister for the serving of Processes, in Addition to the Salary made payable under this Act, to receive a Fee of Sixpence for the Service of every Process which he shall be required to serve, in Cases where there is only one Defendant or there are several Defend-

14 & 15 Vic.
c. 57,
CIVIL BILLS
ACT,
1851.
—

Such Processes to be served by persons so appointed;

and no other persons to serve Civil Bill Processes, but those so appointed.

Service by any other persons, null and void.

Names and places of abode of Process Officers to be published.

Remuneration of Process Officers.

Fees to Process Officers for service of Process:

^a Sic.

^b See proviso at close of this section, as to service in cases of ejectment or replevin.

^c And unauthorized person receiving fee for service, guilty of misdemeanour; § 18 (p. 324).

14 & 15 Vic.
c. 57,
CIVIL BILLS
ACT,
1851.

Person other
than Process
Officer
receiving fee
for service,
Misdemean-
our.
For serving
process
out of his
own County,
extra
Fee and
travelling
expenses.

Process
officer to keep
a register,
which is to be
evidence of
service.

Mode of
Service of
Process.

No Decree to
be made
unless satis-

ants residing in the same Dwelling House; and One Shilling in the Case of two or more Defendants not residing in one and the same Dwelling House: and which said Sums of Sixpence or One Shilling, as the case may be, shall be paid to such Officer on the Delivery of such Process to him for the Purpose of being served by him: and if any Person whosoever, other than one of such Officers so appointed as aforesaid, shall serve or pretend to serve any such Process (save in Ejectment or Replevin Cases^a), and shall receive or take any Fee or Reward for such Service, he shall be guilty of a Misdemeanor, and shall be liable to be prosecuted accordingly^b: Provided always, That if a Process Server of any County or Riding shall be required (as herein-after provided) to serve Process upon any Defendant residing out of the County or Riding for which he shall be acting as such Process Officer, he shall be entitled to receive a Fee of Two Shillings and Sixpence for such Service, together with his reasonable Travelling Expenses incurred in effecting such Service."

Under § 19, a Book or Register is to be kept by every Officer appointed for the Service of Processes, in such form as shall be directed or approved by the Chairman or Assistant Barrister, in which is to be entered the Names of the Parties, the Cause of Action, the Date of Receipt and Service of Process, or the Cause of Service not having been effected, where such is the case, and some other particulars; and the Process Officer is to attend and produce the Book at each Sessions of the Peace, or to cause such Book to be produced in case of his unavoidable absence, and verified in manner provided; such Book then to be *primâ facie* evidence of the truth of the several matters entered therein.

As to mode of Service of Civil Bill Process, the act further provides as follows:—

"§ 65. Service of any Civil Bill Process on the Defendant shall be effected, either by Personal Service of the Civil Process, or by leaving a Copy thereof at the Defendant's House or Place of Residence, or at his Office, Warehouse, Counting-house, Shop, Factory, or Place of Business, with the Wife, Child, Father, Mother, Brother, Sister, or any other Relation of the Defendant or of his Wife, or with any Servant or Clerk of the Defendant, (the Person with whom such Copy shall be left being of the Age of Sixteen Years or upwards), and showing to such Person the Original of such Civil Bill Process; and [that^c] no Decree, other than a Decree in Ejectment or Replevin, shall be made by any Assistant Barrister unless the Pro-

^a See proviso as to these cases, at end of § 15 (p. 323).

^b And service by unauthorized person, null and void; § 15 (p. 323).

^c Sic.

cess in such Cause shall by the Oath of the Process Officer in open Court before the said Assistant Barrister, or by the Production of the Books of the Process Officer in the Cases herein-before provided, be satisfactorily proved to have been duly served, and unless it shall be proved that the House or Place of Residence in which the Defendant, (or in the case of more than one Defendant, in which one of the Defendants), shall at the Time of such Service have usually resided, or that the Office, Warehouse, Counting-house, Shop, Factory, or Place of Business of the Defendant, or one of the Defendants, is situate within such Division of the County where the said Court is held at which the said Defendant or the said Defendants shall be required to appear.

14 & 15 Vic.
c. 57,
CIVIL BILLS
ACT,
1851.

—
factory proof
of service.

“66. Where any Defendant in any Civil Bill shall be a Lodger in any House in which his Landlord shall also reside, Service of any Civil Bill Process within such Dwelling House upon such Landlord so residing, or upon the Wife, Child, or Servant, being of the Age of Sixteen Years or upwards, of such Landlord, and posting a Copy of such Process on the usual Place for posting Notices on the nearest Police Barrack to the House in which the said Defendant shall so lodge, shall be deemed good Service of such Civil Bill Process upon the said Defendant: Provided that it shall appear to the Satisfaction of such Assistant Barrister that due Diligence had been used to effect Personal Service upon the Defendant, or Service upon his Wife.

Service of
Process on
Lodgers.

“67. If the Wife, Child, Father, Mother, Brother, Sister, or other Relative of the Defendant in any Civil Bill Process, or of his Wife, or any Servant of the Defendant who respectively usually resides with the said Defendant, shall be outside the Dwelling-house or Place of Residence of the Defendant, but within reasonable Distance, it shall and may be lawful for the Process Officer to deliver to the said Wife, Child, Father, Mother, Brother, Sister, or other Relative of the said Defendant or of his Wife, being of the Age of Sixteen Years or upwards, so usually residing with the said Defendant, or to such Servant of the said Defendant, a Copy of the said Process for the said Defendant, outside the Dwelling-house or Place of Residence of the said Defendant, and within such Distance as aforesaid from the same; and such Service of Process shall be deemed as good and effectual to all Intents and Purposes as if Service on any of said Parties of said Copy of said Process had been effected within the said Dwelling-house or Place of Residence: Provided always, that at the Time of such Service, Personal Service on the Defendant, or Service on any Person within such Dwelling-house, Lodging, or Place of Residence could not have been effected.

Service of
Process
outside
Dwelling-
house.

“68. The Civil Bill Process shall, in all Cases of Ejectment, and in all Cases for the Recovery of Legacies, and distributive Shares of Assets, and in all Cases where the Demand shall exceed Twenty Pounds, be served Fif-

As to time
when Proces-
ses are to be
served.

14 & 15 Vic.
c. 57,
CIVIL BILLS
ACT,
1851.
—

teen clear Days before the first Day of the Sessions, and [that^a] in all other Cases, every Civil Bill Process shall be served Six clear Days before the First Day of the Sessions, unless otherwise provided by any Act or Acts giving the Jurisdiction in the particular Case, and not hereby repealed, and then so as required by such Act or Acts; and [that^a] in no Case whatsoever shall any Civil Bill Process be served on Sunday, Good Friday, or Christmas Day, and Service upon any of said Days shall be absolutely null and void.

Defendant
not to be sued
out of Division
in which
he resides,
unless as
herein
specified.

“69. No Defendant shall be liable to be sued or proceeded against by Civil Bill under this Act or obliged to appear in any Cause to be heard and determined at any Session or Adjournment thereof to be held out of the Division in which he usually resides, unless there shall be more than one Defendant in such Cause, in which Case the Plaintiff shall be at liberty to bring his Civil Bill in such Division of the County where any One of the Defendants shall so reside: Provided always, that if any Person shall have and occupy any House, Warehouse, Counting-house, Shop, Factory, or Office for the Sale of Goods, or for carrying on any Business, in any County, he shall be deemed to have a Residence within such County for the Purposes of this Act.

What shall
be deemed a
residence
within
County.

In case of
forcible
resistance to
serving the
process, a
copy of the
process may
be posted on
the Court-
house and on
the posting
place in the
nearest
Market
Town.

“70. In any Case where it shall appear to the Assistant Barrister, by Examination on Oath in Open Court, that any Officer appointed to serve the Process of the said Civil Bill Court has been prevented by forcible Resistance, or by reasonable Apprehension of personal Injury, from effecting Service of any Process of the said Court, it shall and may be lawful for such Assistant-Barrister in every such Case to direct, by an Order to be signed by him, and entered in the Book of the Clerk of the Peace, that Posting a Copy of the Civil Bill Process on the Court-house in which the Court may be then sitting, and on the usual Place for posting Notices in the nearest Market Town to the Residence of the Defendant named in such Process, or of One of the Defendants if there be more than One, at least Twenty-one Days before the first Day of the next Sessions to be holden for the same Division of the County or Riding, shall be deemed good Service of such Process; and at foot of every such Copy shall be affixed a Notice, that the same is so posted by Order of the said Assistant Barrister, and that such Process will be held good Service thereof; and upon its being proved on Oath to the Satisfaction of the Assistant Barrister at the next Sessions holden for the same Division that such Copy and Notice have been so duly posted, it shall be lawful for such Assistant Barrister, and he is hereby authorized and required, to proceed to hear and determine such Civil Bill in all respects as if the Process thereon had been personally served on the Defendant or Defendants named therein.”

EXEMPTIONS FROM RATES.

6 & 7 VICT. CAP. 36.

An Act to exempt from County, Borough, Parochial, and other local Rates, Land and Buildings occupied by Scientific or Literary Societies.

[28th July 1843.]

6 & 7 Vic.
c. 36,
RATES
EXEMPTION
ACT,
1843.

§ 1. WHEREAS it is expedient that Societies established exclusively for Purposes of Science, Literature, or the Fine Arts, should be exempt from the Charge of County, Borough, Parochial, and other local Rates, in respect of Land and Buildings occupied by them for the Transaction of their Business, and for carrying into effect their Purposes; be it therefore enacted by, &c., That from and after the First Day of October, One Thousand Eight Hundred and Forty-three, no Person or Persons shall be assessed or rated, or liable to be assessed or rated, or liable to pay, to any County, Borough, Parochial, or other local Rates or Cesses, in respect of any Land, Houses, or Buildings, or Parts of Houses or Buildings belonging to any Society instituted for Purposes of Science, Literature, or the Fine Arts, exclusively, either as Tenant or as Owner, and occupied by it for the Transaction of its Business, and for carrying into effect its Purposes; provided that such Society shall be supported wholly or in part by annual voluntary Contributions, and shall not, and by its Laws may not, make any Dividend, Gift, Division, or Bonus in Money unto or between any of its Members; and provided also that such Society shall obtain the Certificate of the Barrister at Law or Lord Advocate, as hereinafter mentioned^a.

2. Provided always, and be it enacted, That before any Society shall be entitled to the Benefit of this Act, such Society shall cause Three Copies of all Laws, Rules, and Regulations for the Management thereof, signed by the President or other chief Officer and Three Members of the Council or Committee of Management, and countersigned by the Clerk or Secretary of such Society, to be submitted, in *England, Wales, and Berwick-upon-Tweed*, to the Barrister-at-Law for the Time being appointed to certify the Rules of Friendly Societies there,—and in *Scotland*, to the Lord Advocate, or any Depute appointed by him to certify the Rules of Friendly Societies there,—and in *Ireland*, to the Barrister for the time being appointed to certify the Rules of Friendly Societies there,—for the Purpose of ascertaining whether such Society is

Scientific Societies, &c., supported by contributions, and Members of which do not derive profits therefrom,—exempted from Rates, upon obtaining Certificate of the appointed Barrister.

Such Societies to cause their Rules to be submitted to the appointed Barrister, who is to certify, if entitled; or state reasons for withholding certificate.

6 & 7 VIC.
c. 36,
RATES
EXEMPTION
ACT,
1843.

—
Certified
Copies of
Rules, how
to be dis-
posed of.

Alterations
in Rules to be
submitted for
Certificate,
and deposited
in like Man-
ner:

in Case of
Refusal to
certify, Soci-
ety ceases to
be entitled to
exemption.

Fee to the
Barrister:

entitled to the Benefit of this Act: and such Barrister or Lord Advocate, as the Case may be, shall give a Certificate on each of the said Copies that the Society so applying is entitled to the Benefit of this Act, or shall state in Writing the Grounds on which such Certificate is withheld^a; and one of such Copies, when certified by such Barrister or Lord Advocate, shall be returned to the Society; another Copy shall be retained by such Barrister or Lord Advocate; and the other of such Copies shall be transmitted by such Barrister or Lord Advocate to the Clerk of the Peace for the Borough or County where the Land or Buildings of such Society in respect of which such Exemption is claimed shall be situated, and shall by him be laid before the Recorder or Justices for such Borough or County at the General Quarter Sessions, or Adjournment thereof, held next after the Time when such Copy shall have been so certified and transmitted to him as aforesaid; and the Recorder or Justices then and there present are hereby authorized and required, without Motion, to allow and confirm the same; and such Copy shall be filed by such Clerk of the Peace with the Rolls of the Sessions of the Peace in his Custody, without Fee or Reward.

3. And be it enacted, That if the Laws, Rules, and Regulations of any such Society shall be altered, so as to affect or relate to the Property or Constitution of such Society, such Alterations shall, within One Calendar Month after the same shall have been made, be submitted to such Barrister or Lord Advocate, and such Barrister or Lord Advocate shall certify as aforesaid; and such Rules, when so certified, shall be filed with the Clerk of the Peace as aforesaid; and in the meantime, such Society shall be entitled to the Benefit of this Act as if no such Alterations had been made: Provided always, that if the said Barrister or Lord Advocate shall refuse to certify, [that^b] then, subject to such Appeal as is hereinafter provided^c, the said Society shall cease to be entitled to the Benefit of this Act from the Time when such Alterations shall come into operation.

4. Provided always, and be it enacted, That the Fee

^a By § 5, an appeal to Quarter Sessions is given in case of refusal of the Barrister's Certificate under this section. An appeal against his Certificate, where given, is also provided by § 6. The following are Institutions in respect of which Certificates of their being entitled to exemption from Rates under this act, have been given by the appointed Barrister in Ireland, so far as the editor has been able to ascertain: namely, the Dublin Library Society, Royal Dublin Society, Royal Zoological Society (Dublin), Royal Irish Academy, Royal Hibernian Academy (Dublin), Dublin Mechanics' Institution, Cork Institution, Cork Library Society, Londonderry Library Society, Limerick Institution, Limerick Society, Royal Galway Institution, Galway Mechanics' Institution, Chemico Agricultural Society of Ulster (Belfast), Belfast Working Classes' Association, Natural History and Philosophical Society of Belfast.

^b Sic.

^c § 5.

payable to such Barrister or Lord Advocate for perusing the Laws, Rules, and Regulations of each Society, or the Alterations made therein, and giving such Certificate or Statement as aforesaid, shall not at any One Time exceed the Sum of One Guinea, which, together with the Expense of transmitting the Rules to and from the said Barrister or Lord Advocate, shall be defrayed by each Society respectively.

6 & 7 Vic.
c. 36,
RATES
EXEMPTION
Act,
1843.

Expense of
forwarding
Rules.

5. Provided always, and be it enacted, That in case any such Barrister or Lord Advocate shall refuse to certify that any such Society is entitled to the Benefit of this Act, it shall then be lawful for any such Society to submit the Laws, Rules, and Regulations thereof to the Court of Quarter Sessions for the Borough or County where the Land or Buildings of the Society shall be situated, together with the Reasons so assigned by the said Barrister or Lord Advocate as aforesaid; and the Recorder or Justices at such Quarter Sessions shall and may, if he or they think fit, order the same Rules to be filed, notwithstanding such Refusal as aforesaid; and such filing shall have the same Effect as if the said Barrister or Lord Advocate had certified as aforesaid.

Where Certi-
ficate is re-
fused, Society
may appeal
to Quarter
Sessions.

6. Provided also, and be it enacted, That any Person or Persons assessed to any Rate from which any Society shall be exempted by this Act, may appeal from the Decision of the said Barrister or Lord Advocate in granting such Certificate as aforesaid, to the said Court of Quarter Sessions, within Four Calendar Months next after the first Assessment of such Rate made after such Certificate shall have been filed as aforesaid, or within Four Calendar Months next after the first Assessment of such Rate made after such Exemption shall have been claimed by such Society; such Appellant first giving to the Clerk or Secretary of the Society in question, Twenty-one Days previously to the Sitting of the said Court, Notice in Writing of his Intention to bring such Appeal, together with a Statement in Writing of the Grounds thereof; and within Four Days after such Notice, entering into a Recognizance before some Justice, with Two sufficient Sureties, to try such Appeal at, and abide the Order of, and pay such Costs as shall be awarded by, the Recorder or Justices at such Quarter Sessions; and at such Quarter Sessions, such Recorder or Justices shall, on its being proved that such Notice and Statement have been given as aforesaid, proceed to hear such Appeal, according to the Grounds set forth in such Statement, and not otherwise; and, if the Certificate of the said Barrister or Lord Advocate shall appear to him or them to have been granted contrary to the Provisions of this Act, shall and may annul the same; and shall and may according to their Discretion, award such Costs to the Party appealing

Appeal to
Quarter Ses-
sions, by per-
sons affected
by Rate, ex-
emption from
which is
applied for:

Notice of
such Appeal;

and Recog-
nizances.

Costs.

6 & 7 VIC.
c. 36,
RATES
EXEMPTION.

or appealed against as he or they shall think proper : and his or their Determination concerning the Premises shall be conclusive and binding on all parties to all Intents and Purposes whatsoever.

6 ANN. CAP. 19.

6 ANN. c. 19,
MARSH'S
LIBRARY,
DUBLIN.
Exemption
from Rates.

This Act relates to the house and library built and founded by Dr. Marsh, Archbishop of Dublin and afterwards Primate, now known as Marsh's Public Library, in South Patrick's Close, Dublin ; which was vested in Trustees, "for a public library for ever, for the use of all persons who shall resort thereto," and "for the accommodation of a library keeper for ever:" and § 1 declares "That the house before-mentioned to be built by the said Narcissus, Lord Archbishop of Armagh, the Ground on which it stands, the Garden or Court thereto belonging, and the other Parcel of Ground hereinbefore mentioned, to be laid out for the Enlargement of the said House, and for a Way thereto from the Archbishop of Dublin's said Palace, and the said Ground laid out for a Way to the said House from St. Patrick's Close ; and also all and every the before-mentioned Books," &c., "and all the other Appurtenances to the said House and Library belonging, shall be and are hereby actually settled and vested in the said Trustees, who are enumerated, "and their Successors for ever ; . . . and that the same shall remain, continue, and be . . . freed and for ever discharged of and from all manner of Taxes, and of and from all Chimney Money, Hearth Money, and Lamp Money, and of and from all manner of Taxes and Charges hereafter to be imposed by Act of Parliament, unless the same shall be charged expressly and by Name, in and by such future Act or Acts of Parliament ; any Law or Usage, or Custom to the contrary thereof in anywise notwithstanding."

31 GEO. 3, CAP. 46.

31 G. 3, c. 46,
ARMAGH
OBSERVATORY.

"An Act for settling and preserving a public Observatory and Museum in the City of Armagh for ever," in a proviso to § 1, declares—

Exemption
from Rates.

"The said House so founded by the said Richard, Lord Archbishop of Armagh, as an Observatory and Museum, "and the said Twenty Acres of Land, in the said City of Armagh, to be and remain Free from all manner of Taxes imposed or hereafter to be imposed by Act of Parliament, except the same shall be charged expressly "and by Name ; any Law, Usage, or Custom to the contrary thereof in anywise notwithstanding."

17 & 18 VICT. CAP. 104.

An Act to amend and consolidate the Acts relating to Merchant Shipping.

[*Passed 10th August 1854.*]

17 & 18 VIC.
c. 104,
MERCHANT
SHIPPING
ACT,
1854.

EXTRACT, as to *Exemption of Lighthouses, &c. from Rates and Taxes.*

“§ 430. All Lighthouses, Buoys, Beacons, and Light Dues, and all other Rates, Fees, or Payments accruing to or forming Part of the said Fund^a, and all Premises or Property belonging to or occupied by any of the said General Lighthouse Authorities or the Board of Trade, which are used or applied for the Purposes of any of the Services for which such Dues, Rates, Fees, and Payments are received, and all Instruments or Writings used by or under the Direction of any of the said General Lighthouse Authorities or the Board of Trade in carrying on the said Services, shall be exempted from all public, parochial, and local Taxes, Duties, and Rates of every kind^b.”

Property used for the Purposes of Parts III. and VI.^b of Act to be exempt from all Rates and Taxes.

11 & 12 VICT. CAP. 80.

An Act to empower Lessees of Tithe Rent-charge in *Ireland* to deduct a Proportion of Poor Rate Poundage from Rent, &c.

[*Passed 31st August 1848.*]

12 VIC. c. 80.
Deduction of Poor Rate from Rent for Tithe Rent-charge.

EXTRACT^c.

§ 1. WHEREAS by an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor of^a Ireland*, it is provided and enacted^e, that where any Person receiving Rent in respect of any rateable Property shall also pay a Rent in

1 & 2 Vic. c. 56.

^a Mercantile Marine Fund.

^b In Part III. of the act, referred to in the marginal note, provision is made for the establishment of Shipping Offices under the local Marine Boards in ports having such Boards, and subject to the control of the Board of Trade: Part VI. relates to Lighthouses, which, as well as such offices and premises as are referred to in the section, are exempted from rates. The provision in the present section is similar to that previously contained in 16 & 17 Vic. c. 131 (the Merchant Shipping Law Amendment Act, 1853), § 22, now repealed.

^c The other portion of this act, and an act of 1851, 14 & 15 Vic. c. 74, amending the same, relate, not to the subject of the present work, but to the Valuation of Ecclesiastical Property for the purposes of the Church Temporalities Act, 3 & 4 Wm. IV. cap. 37, and to the deductions to be allowed on account of Poor-rate, &c., in the Valuation on which the assessment under that act is founded.

^d Sic.

^e § 75 of 1 & 2 Vic. c. 56 (p. 57).

12 Vic. c. 80. Lessee of Tithe Rent-charge, if liable to pay Rent for the same, may deduct Proportion of Rate from it. respect of the same, he shall be entitled to deduct from such Rent a Proportion of the Rate deducted from him; and it is expedient to extend such Provision to the Case of Tithe Rent-charge: Be it enacted by, &c., That from and after the passing of this Act, where any Person entitled to receive Tithe Rent-charge shall be liable to pay a Rent in respect of the same, he shall be entitled to deduct from the Rent so paid by him a Sum bearing such a Proportion to One Half the Amount of Rate deducted from the Tithe Rent-charge received by him as the Rent paid by him in respect of such Tithe Rent-charge bears to the Tithe Rent-charge which he is so entitled to receive.

INCOME TAX, VALUATIONS AND RATE-BOOKS.

16 & 17 Vic.
c. 34,
INCOME TAX
ACT,
1853.

16 & 17 VICT. CAP. 34.

An Act for granting to Her Majesty, Duties on Profits arising from Property, Professions, Trades, and Offices.
[Passed 28th June 1853.]

Sections 12 and 19 of this act impose certain functions on the Clerks of Unions: and those and other sections of the act contain provisions relating to Poor Law Valuations and Rates.

EXTRACTS from 16 & 17 Vic. c. 34, so far as connected with Poor Law Valuations and Duties of Poor Law Officers.

Clerks of Unions and Collector General in Dublin to transmit Copies of the last Poor Rates made, to the Commissioners of Inland Revenue, in Dublin.

“§ 12. In order to the assessing of the Duties chargeable under the respective Schedules (A) and (B) of this Act^a in *Ireland*, the Clerk of the Board of Guardians of every Poor Law Union in *Ireland*, or the Person acting as such Clerk, shall, within one Month after the passing of this Act, and *between the Fifth Day of April and the First Day of June in every succeeding Year*^b, transmit to the Commissioners of Inland Revenue, at their Head Office in *Dublin*, true Copies of the last Rates made by such Guardians for the Relief of the Poor in such Union, and in every Electoral Division thereof; and the Collector General of Rates in the City of *Dublin* shall, in like Man-

^a Namely,—Schedule (A), “for and in respect of the *Property* in all Lands, Tenements, Hereditaments, and Heritages, in the United Kingdom,”—and Schedule (B), “for and in respect of the *Occupation* of all such Lands, Tenements, Hereditaments, and Heritages, as aforesaid.”

^b This provision is altered by the subsequent act of 1854, 17 Vic., c. 24, under § 5 of which (p. 337) the copies of Rates are not required to be transmitted annually, or at the time above stated; but only when called for by requisition of the Inland Revenue Commissioners.

ner and *within the same Period in each Year*^a, transmit to the said Commissioners true Copies of the last Rates made for the Relief of the destitute Poor in the several Electoral Divisions or Parts thereof in which he is by Law authorized to make and declare such Rates: and the Commissioners of Inland Revenue shall pay to the said Clerk and Collector respectively the Cost and Expense of making all such Copies, not exceeding the Rate of Two Shillings and Sixpence for every One Hundred Ratings; and if any such Clerk or any Person acting as such Clerk or such Collector shall in any Year neglect to transmit such Copies in compliance with this Enactment, he shall for every such Neglect forfeit the Sum of Fifty Pounds.

“13. The Duties chargeable in Ireland under the respective Schedules (A) and (B) of this Act^b shall be charged and assessed by a Poundage Rate upon the annual Value of all Tenements and rateable Hereditaments, according to the respective Surveys and Valuations made or to be made and from Time to Time in force for the Purposes of the Rates for the Relief of the Poor in Ireland; and the Assessment of the said Duties in Ireland chargeable under the said Schedule (A) shall be made upon the Landlord or Immediate Lessor of such Tenements or rateable Hereditaments, or if it shall appear to the Commissioners for Special Purposes to be necessary or proper, the said Assessment shall be made upon such Person as the Rate for the Relief of the Poor shall be made upon in respect of any such Property under the Provisions of the Acts in that Behalf; and the Assessment of the said Duties chargeable under the said Schedule (B) shall be made upon the Occupier of such Property: Provided always, that if upon the Appeal, as herein-after mentioned, of any Person deeming himself aggrieved by any such Assessment, it shall be proved to the Satisfaction of the Commissioners, Assistant Barrister, Chairman, or Recorder, by whom such Appeal shall be heard or re-heard, as the Case may be, that such Assessment is made upon an Amount or Value exceeding the annual Rent at which the Property in respect whereof such Assessment is made, is worth to be let from Year to Year, the Person hearing or re-hearing such Appeal shall give Relief by reducing and abating such Assessment, and charging the Duties on the Amount of such annual Value as aforesaid, notwithstanding that the same may be less than the annual Value of the Premises according to any such Survey or Valuation as aforesaid; and if such annual Value at which such Property is worth to be let as aforesaid, shall exceed the actual Rent payable yearly by the Tenant or Occupier of such Premises, the Landlord or Immediate Lessor shall be assessed under Schedule (A) upon the Amount of such actual Rent only, and the Tenant or Occupier shall be assessed under the said

16 & 17 Vic.
c. 34,
INCOME TAX
ACT,
1853.

Payment
for such
Copies.

Penalty on
Clerks and
Collector
General for
neglect.

Duties under
Schedules
(A.) and (B.)
in Ireland to
be assessed
according to
the Poor Law
Valuation.

Assessments,
on whom
to be made.

Appeal.

^a See note ^b in preceding page.

^b See note ^a in p. 332.

16 & 17 Vic.
c. 34.

Person rate-
able for half
Poor Rate in
respect of
rent arising
out of ex-
empted prop-
erty, to be
assessed for
Income Tax
upon the
whole rent.

Inland Re-
venue Com-
missioners
may direct
Valuation
Commission-
er to make
Re-valuation
where
existing
Valuations
are incorrect.

Appeal.

Allowance
for Poor
Rates charge-
able on the
Landlord's
Rent in
Ireland.

Schedule (A) on the Difference between that Amount and the Amount of such last-mentioned annual Value, subject nevertheless to any Claim for Exemption which the Parties respectively may be entitled to: Provided also, that where any Person receiving Rent in respect of any Hereditament in Ireland exempt from being rated to the Relief of the Poor is liable to be rated in respect of such Rent to the Extent of One Half the Poundage of any Poor Rate^a, the said Duties in Ireland chargeable under the said Schedule (A) shall be charged and assessed upon such Person by a Poundage Rate upon the full Amount of such Rent.

“14. Provided also, That if in any Case it appear to the Commissioners of Inland Revenue that any such Valuation as aforesaid for the Time being in force is not correct (having reference to the Principles according to which the same ought by Law to have been made^b), with respect to all or any of the Tenements or rateable Hereditaments included therein, it shall be lawful for such Commissioners to direct the Commissioner of Valuation^b to make or cause to be made a Re-valuation of the Tenements or Hereditaments with respect to which the said Valuation is incorrect; and such Commissioner of Valuation shall forthwith, with all convenient Speed, make or cause to be made such Re-valuation accordingly, and sign the same and transmit it to the Commissioners of Inland Revenue; and such Re-valuation shall be made according to the Principles or Rules according to which such incorrect Valuation ought by Law to have been made, and the Duties chargeable under the said Schedules (A) and (B) shall, after such Re-valuation, be charged and assessed according thereto; provided that if any Person assessed to the last-mentioned Duties according to such Re-valuation deem himself aggrieved thereby, it shall be lawful for him to appeal against such Assessment on the ground of the Incorrectness of such Re-valuation; and upon such Appeal it shall be lawful for the Commissioners, Assistant Barrister, Chairman, or Recorder hearing or re-hearing such Appeal, to alter as well such Re-valuation as the Assessment thereon, and make such Order in relation thereto as they or he may think fit.^c”

“15. In assessing in Ireland the Duties chargeable under Schedule (A) of this Act on the Landlord or Immediate Lessor, in every Case where the Amount or annual Value on which the Assessment is made on him is not less than the annual Rent reserved or payable to him for the Premises in respect of which the Assessment is made, an Allowance or Abatement of a proportionate Part of the Duty shall be made in respect of the Amount

^a Under § 10 of 12 & 13 Vic. c. 104 (p. 192).

^b See General Tenement Valuation Acts, and Introductory Observations, p. 351.

^c See further as to re-valuation on application of appellant, in § 47 (p. 336-7.)

of the Poor Rates which such Landlord or Lessor shall have paid or borne for the same Premises in the Year preceding; and if the Amount or Annual Value on which such Assessment as aforesaid is made, shall be less than the said Rent, then such Allowance or Abatement as aforesaid shall be made only in respect of so much as the Amount of the said Poor Rate added to the Sum on which the Assessment is made shall exceed the actual Rent.

“16. All Assessments of the said Duties under the said Schedules (A) and (B), in Ireland, shall be made by Surveyors of Taxes or other Officers of Inland Revenue acting in that Behalf under the Directions of the Commissioners of Inland Revenue; and every such Assessment shall be made for and comprise the respective Premises situate within a Union, or an Electoral Division, or such other District as the said last-mentioned Commissioners shall direct; and the same shall be signed by Two of the Commissioners for Special Purposes, who shall cause Duplicates thereof, together with their Warrants for the collecting and levying of the Sums thereby assessed, to be delivered to such Person or Persons as they shall appoint to be Collectors of such Assessments^a.

“17. Every such Assessment in Ireland of the Duties under the said Schedules (A) and (B) of this Act may be collected, levied, and recovered by Distress by the Person appointed in manner aforesaid to be the Collector thereof, from the Person assessed or from the Occupier of the Property assessed, or may be levied upon the particular Premises in respect of which the Assessment is made; and all Goods and Chattels, to whomsoever the same shall belong, found on such Premises in respect of which any Assessment is made of the said Duties under this Act, shall be liable to be distrained and sold for the Recovery of the said Duties; or such Duties as aforesaid, or any Arrears thereof, may be levied and recovered in the same Manner as other Duties assessed in Ireland under this Act may be levied and recovered: Provided always, that the Duty assessed under the said Schedule (A) upon or in respect of any Tenement or Hereditament may be collected, recovered, and levied by the said Collector from the Landlord or Immediate Lessor of the Premises assessed, whether he be named in the Assessment or not; and to that end, such Collector is hereby authorized and empowered to use, exercise, and put in force against such Landlord or Immediate Lessor all or any of the Remedies, Ways, and Means provided by an Act of the First and Second Years of Her Majesty, Chapter Fifty-six^b, and an Act of the Sixth and Seventh Years of Her Majesty, Chapter Ninety-two^b, or either of the said Acts, by which

16 & 17 Vic.
c. 34,
INCOME TAX
Act,
1853.

By whom
Assessments
under Sched-
ules (A.)
and (B.) in
Ireland are
to be made
and collected.

How Assess-
ments in Ire-
land under
Schedules
(A.) and (B.)
are to be col-
lected, levied,
and reco-
vered.

1 & 2 Vic.
c. 56.

6 & 7 Vic.
c. 92.

^a The Collectors of Poor Rate have generally been appointed Collectors of Income Tax, in their respective districts, under this provision.

^b Irish Poor Relief Act, 1 & 2 Vic. c. 56, and Amendment Act, 6 & 7 Vic. c. 92: for provisions as to the Collectors' powers under those acts, see Index.

16 & 17 Vic.
c. 34,
INCOME TAX
ACT,
1853.

any Rate made for the Relief of the destitute Poor in Ireland may be collected, recovered, or levied from any Immediate Lessor primarily liable to the Payment of Rates for Premises the Occupier of which is exempted from such Payment^a: Provided also, that where any Proceeding for the Recovery of any such Rate is by Law required to be had or taken in the Name of the Guardians of a Poor Law Union, or by the Direction or with the Consent of such Guardians or of the Poor Law Commissioners, or by or with any other Direction or Consent, the like Proceeding for the Recovery of the said Duties under this Act may be had and taken by and in the Name of such Collector as aforesaid, and without any such Direction or Consent; provided that where any Assessment under the said Schedule (A) shall have been made upon the Tenant or Occupier of the Premises assessed, the Landlord or Immediate Lessor shall be liable to be proceeded against in Manner aforesaid only in Default of Payment of such Assessment by the said Tenant or Occupier, and for the Recovery of so much only of the Duty assessed as shall be chargeable in respect of the Rent payable yearly to such Landlord or Immediate Lessor for the Premises assessed."

Persons
having the
Custody of
Valuations
under the
Poor Relief
Acts in Ire-
land to pro-
duce same
to Officers
under this
Act, and to
permit Copies
to be taken.
Penalty for
Refusal, &c.

"19. Every Person having within his Custody or Possession any Survey or Valuation on which the Rates for any Union or Electoral Division shall be assessed or made, or any Rate or Assessment made under the Provisions of the Acts for the Relief of the Poor in Ireland, or any of them, shall, at the Request of any Inspector, Surveyor, or other Officer, acting in the Execution of this Act in Ireland, produce and show every such Survey, Valuation, Rate, and Assessment to such Inspector, Surveyor, or other Officer, and permit him to inspect the same, and to take Copies thereof or Extracts therefrom without paying anything for the same; and in case the Person having the Custody or Possession of any such Survey, Valuation, Rate, or Assessment shall, on any such Request as aforesaid, refuse to produce the same to such Inspector, Surveyor, or other Officer, or to permit him to inspect the same, or to take Copies thereof or such Extracts as he may think fit to take therefrom, such Person shall, for every such Refusal, forfeit the Sum of Fifty Pounds."

Appellants
may require
Commis-
sioners to
appoint a
Valuer to
value Lands.

"47. Whereas by the Eighty-first Section of the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five^b, if upon Appeal any Dispute shall arise touching the annual Value of any Lands, Tenements, or Hereditaments, the Commissioners are authorized, if they deem it necessary, to direct that a Valuation thereof shall be taken and made by a Person of Skill to be named by

^a Irish Poor Relief Acts, p. 3, 105: see under *Lessors*, in Index.

^b 5 & 6 Vic. c. 35, Income Tax Act for Great Britain, 1842, extended by the present act of 1853, 16 & 17 Vic. c. 34, to the United Kingdom.

the said Commissioners: It shall be lawful for the Appellant, as well as the said Commissioners, upon any such Appeal, to require that such Valuation as aforesaid shall be made, and the said Commissioners, on being required so to do by the Appellant, as well as in Cases where they may deem it necessary^a, shall name a Person of Skill to make such Valuation; and upon such Valuation being verified on the Oath of the Person making the same, the Assessment shall be made according thereto."

16 & 17 VIC.
c. 34,
INCOME TAX
ACT,
1853.

17 VICT. CAP 24.

An Act for granting to Her Majesty an increased Rate of Duty on Profits arising from Property, Professions, Trades, and Offices. [Passed, 16th June 1854.]

17 VIC. c. 24,
INCOME TAX
ACT,
1854.

EXTRACT, relating to Copies of Rate Books.

"§ 5. And whereas by the said Act of the last Session of Parliament^b, the Clerk of the Board of Guardians of every Poor Law Union in *Ireland*, and the Collector General of Rates in the City of *Dublin*, are respectively required, under a certain Penalty for any Neglect, to transmit to the Commissioners of Inland Revenue yearly, within the Period in the said Act mentioned^b, true Copies of the last Rates made for the Relief of the Poor; and it is found by Experience that the yearly Transmission of such Copies is for the most part unnecessary: Be it enacted, That Copies of the said Rates shall be transmitted at such Times only as they shall be required by the said Commissioners, and the Penalty imposed by the said Act for any Neglect to transmit such Copies shall attach and be incurred only for any Neglect to transmit the same in pursuance of any Requisition of the said Commissioners."

Copies of
Poor Rates
in *Ireland*
to be trans-
mitted to
the Commis-
sioners of
Inland Re-
venue only,
when re-
quired by
them.

RATING AND PARLIAMENTARY FRANCHISE.

13 & 14 VICT. CAP. 69.

An Act to amend the Laws which regulate the Qualification and Registration of Parliamentary Voters in *Ireland*, and to alter the Law for rating Immediate Lessors of Premises to the Poor Rate in certain Boroughs.

[Passed, 14th August 1850.]

13 & 14 VIC.
c. 69,
PARLIAMEN-
TARY
VOTERS
ACT,
1850.

The following is an Abstract of the provisions of this act, so far as concerns Poor Law Officers.

The preamble recites *An Act* (of 2 & 3 Wm. 4, c. 88) to amend the Representation of the People of *Ireland*, and de-

^a See § 14 (p. 334).

^b 16 & 17 Vic. c. 34, § 12 (p. 332).

13 & 14 Vic.
c. 69,
PARLIAMEN-
TARY
VOTERS
ACT,
1850.

County qua-
lification.

declares the object of the present act to be to amend the laws which regulate the Qualification of some of the persons entitled to vote in the Election of Members of Parliament for Ireland, and the Registration of all persons so entitled to vote.

In addition to those previously qualified to register and vote in County elections, Occupiers of any tenements rated in the last poor rate at a net annual value of £12 and upwards are now entitled to vote in Elections for the County, subject to registration in accordance with the act and to certain limitations therein (§ 1): also Owners of certain estates of the rated net annual value of £5 (§ 2). But no persons are to be entitled to vote in Counties in respect of tenements in virtue of which they may be entitled to vote in Boroughs (§ 4).

Borough
qualification.

Rating of
Immediate
Lessors in
certain
Boroughs.

In Boroughs, Occupiers rated in the last poor rate at £8 and upwards are entitled to vote, subject to registration and certain limitations in the act (§ 5). The 116th section repeals § 1 of 6 & 7 Vic. c. 92 (p. 105,) so far as relates to the rating of Immediate Lessors instead of Occupiers, of tenements *not exceeding* £8 net annual value, in Electoral Divisions comprising any part of the Boroughs of Dublin, Cork, Limerick, Belfast, and Waterford, specified in the schedule to that act; and limits the liability of Immediate Lessors to be rated for tenements in such divisions, to cases in which the net annual value is *under* £8. In cases where it amounts to or exceeds £8, the Occupier is rateable. The following is the section:

Repeal of § 1
of 6 & 7 Vic.
c. 92, as to
Immediate
Lessors in
certain
Boroughs.

‘§ 116. And whereas by an Act of the Sixth and Seventh Years of the Reign of Her present Majesty, intituled, *An Act for the further Amendment of an Act for the more effectual Relief of the destitute Poor in Ireland*, it is enacted, “that whenever the net annual Value of the
“whole of the rateable Hereditaments in any Union oc-
“cupied by any Person or Persons having no greater
“Estate or Interest therein than a Tenancy from Year
“to Year, or holding under Lease or Agreement, Leases
“or Agreements, made after the passing of the said Act^a,
“shall not exceed Four Pounds, or in any Electoral
“Division situated wholly or in part in any of the
“Boroughs named in the Schedule annexed to the said
“Act^b shall not exceed Eight Pounds, the Rate in re-
“spect of such Property shall after the passing^c of the

^a i.e., after the passing of 6 & 7 Vic. c. 92, which was passed on 24 August, 1843 (p. 105).

^b Dublin, Cork, Limerick, Belfast, and Waterford (p. 127).

“said Act be made on the Immediate Lessor or Lessors
 “of such Person or Persons; and if at the Time of
 “making any Rate the Name of the Immediate Lessor
 “be not accurately known to the Persons making the
 “Rate, it shall be sufficient to describe him therein as
 “‘The Immediate Lessor,’ with or without any Name
 “or further Addition; and such Rate shall be held to be
 “duly made on him by such Description, and shall be
 “recoverable from him accordingly, notwithstanding
 “any Error or Defect in his Name or Description, or
 “the entire Omission of his Name therein:” And
 whereas it is expedient to repeal the said Provision, so
 far as the same relates to the Boroughs named in the
 Schedule to the said Act annexed^a, and no further, and
 to substitute another Provision in lieu thereof: Be it
 therefore enacted, That from and after the passing of
 this Act, so much of the said recited Provision as relates
 to the said Boroughs, or any of them, named in the
 Schedule to the said Act annexed^a, shall be and the same
 is hereby repealed, save and except as to any Rate made
 or any Matter or Thing done before the passing of this
 Act, or as to any Remedy or Proceeding for or relating
 to any Rate, Matter, or Thing made or done before the
 passing of this Act; and that whenever, from and after
 the passing of this Act, the net annual Value of the
 whole of the rateable Hereditaments in any Electoral
 Divisions situated wholly or in part in any of the Boroughs
 of *Dublin, Cork, Limerick, Belfast, or Waterford*, occupied
 by any Person or Persons having no greater Estate or
 Interest therein than a Tenancy from Year to Year, or
 holding under a Lease or Agreement, Leases or Agree-
 ments, made after the passing of the said last-recited
 Act^b, shall be rated for the Poor Rate under the Value of
 Eight Pounds, the Rate in respect of such Property shall
 after the passing of this Act be made on the Immediate
 Lessor or Lessors of such Person or Persons; and if at
 the Time of making any such Rate, the Name of the Im-
 mediate Lessor be not accurately known to the Persons
 making the Rate, it shall be sufficient to describe him
 therein as “The Immediate Lessor,” with or without any
 Name or further Addition; and such Rate shall be held
 to be duly made on him by such Description, and shall
 be recoverable from him accordingly, notwithstanding
 any Error or Defect in his Name or Description, or the
 entire Omission of his Name therein.’

13 & 14 Vic.
 c. 69,
 PARLIAMEN-
 TARY
 VOTERS
 ACT,
 1850.

Where Valua-
 tion of Pre-
 mises in
 Electoral
 Divisions
 comprising
 any part of
 certain
 Boroughs
 named, is
 under 8*l.*, the
 Immediate
 Lessor is to
 be rated in
 Poor Rate.

The following are further provisions of the act:—

‘§ 110. And be it enacted, That it shall be lawful for any
 Person who shall occupy any Lands, Tenements, or Here-
 ditaments rated under the Acts for the more effectual
 Relief of the destitute Poor in Ireland at a net annual

Occupiers of
 Premises
 valued at 12*l.*
 in Counties,
 or 8*l.* in Bo-

^a Dublin, Cork, Limerick, Belfast, and Waterford (p. 127).

^b 6 & 7 Vic. c. 92, passed 24 August 1843, (p. 105).

13 & 14 Vic.
c. 69,
PARLIAMEN-
TARY
VOTERS
ACT,
1850.

roughs, may
claim to be
rated where
not already
rated:

and to be
rated on
payment or
tender of
rate, or be
deemed to be
rated.

No person
entitled to be
registered
who has re-
ceived Relief
within 12
months pre-
viously.

Rate Books,
or compared

Value of Twelve Pounds or upwards. in any Electoral Division in any County, or Eight Pounds or upwards in any City, Town, or Borough in Ireland, in which there shall be a Rate for the Relief of the destitute Poor, and whose Name shall have been omitted from such Rate, to present to the Guardians of the Union^a a Claim to be rated in respect of such Premises, and such Claim shall be in Writing, and signed with his Name; and upon such Occupier so claiming, and actually paying or tendering the full Amount of the Rate or Rates (if any) then due in respect of such Premises, the Guardians of the Union^a shall insert the Name of such Occupier in such Rate in respect of such Premises as aforesaid; and in case such Guardians^a shall neglect or refuse so to do, such Occupier shall, for the Purposes of this Act, be deemed to have been rated in respect of such Premises in the Rate in respect to which he shall have claimed to be rated as aforesaid.

‘111. And be it enacted, That no Person shall be entitled to be registered in any Year as a Voter in the Election of a Member or Members to serve in Parliament for any County, City, Town, or Borough in Ireland, who shall, within Twelve Calendar Months next previous to the *Ninth day of November One thousand eight hundred and fifty (as regards the Register for the Year One Thousand eight hundred and fifty-one)*, or the Twentieth Day of July of the current Year (as regards each Year after One thousand eight hundred and fifty-one), have received Relief under the Act for the more effectual Relief of the destitute Poor in Ireland^b.’

‘108. And be it enacted, That for the Purpose of this

^a In the municipal district of the City of Dublin, such claim is in future to be served upon the Collector-General or at his office, not upon the Guardians; see act of 1853, 16 & 17 Vic. c. 58, § 5; and in the same act, the Rates made by the Collector-General in Dublin are declared to be those contemplated and to be used for the purposes of this act, in his district: (p. 350-1.)

^b i.e. 1 & 2 Vic. c. 56, amended and extended by 6 & 7 Vic. c. 92, 10 Vic. c. 31, and 12 & 13 Vic. c. 104, &c., which provide that they are to be construed with the previous act as one (p. 127, 151, 172, 206). Vaccination by contract under the Vaccination Extension Acts, 3 & 4 Vic. c. 29 and 4 & 5 Vic. c. 32, and any surgical or medical assistance incident to the same, were expressly declared not to be or to entail any disqualification: see § 2 of the latter act, (p. 287). Vaccination under these acts has since been practically superseded by the provision made in the Dispensaries Act, 14 & 15 Vic. c. 68, § 13 (p. 216); but neither vaccination under § 13, nor medical or surgical relief under § 9 and 21 of the latter act, comes within the disqualifying terms of this section, the Dispensaries Act not being the act here referred to, nor one of the amending acts which are to be construed as one with the original act of 1 & 2 Vic. Assistance afforded by way of Emigration, at the expense of the poor rates, is likewise not to be deemed to be relief; see § 15 of 10 Vic. c. 31, (p. 137-8).

Act, the said Rate Books^a, or a compared Copy thereof or of any Part thereof, shall be *primâ facie* Evidence of the several Matters entered or stated therein; but that it shall be lawful for any Person who shall have duly served a Notice of Claim or Objection pursuant to the Provisions herein-before contained^b, to prove by Evidence that any of the Entries or Statements therein is untrue or incorrect, except the Statements or Entries in such Rate Books of the Value of any Lands, Tenements, or Hereditaments, as to which the same are hereby declared to be conclusive for the Purposes of this Act.'

13 & 14 Vic.
c. 69,
PARLIAMEN-
TARY
VOTERS.

—
Copies
thereof, to be
primâ facie
Evidence:
and conclu-
sive as to
Valuation.

Sections 15 to 27 relate to the Registration of County voters; and sections 28 to 38, to Borough registration: Sections 39 to 89 relate to the publication and revision of Lists, &c., duties and remuneration of revising Barristers, Appeal, &c: Sections 90 to 98 relate to Personation of voters; and other sections, to Offences and punishments, and general miscellaneous provisions. Various forms are annexed to the act, for use by Clerks of Peace, Clerks of Unions, &c., but it does not appear necessary to insert them here.

*Registra-
tion.*

The following are provisions which relate to duties imposed on Poor Law Officers^c. As regards the Clerks of Unions, provision is made for their remuneration out of the poor rates, for the performance of the duties imposed upon them by the act: the other expenses of carrying the act into execution are otherwise provided for.

*Duties of
Poor Law
Officers.*

'§ 73. And be it enacted, That the Guardians of the Poor of each Union shall, by an Order, make such annual Allowance out of the Rates to the Clerks of the Union, as a Compensation for the Duty hereby imposed upon them, as the said Guardians shall think proper; but no such Order shall be acted on, or any Payment made thereunder, until the same shall be approved of by the Poor Law Commissioners, and the Payment sanctioned by them.'

*Remunera-
tion of Clerks
of Unions.*

In Counties, the Clerk of the Peace of each County is to send to the Clerks of Unions therein a precept in a given

*County Re-
gistration.*

^a See note ^a on § 111 (p. 340), as to Rate Books of Dublin.

^b *i. e.*, Notice of Claim to vote in Parliamentary Elections, or of Objection to right to vote.

^c See Circulars to Clerks of Unions and Collectors of Poor Rates, (in Part III. 4) as to their respective duties under this act, in each year.

13 & 14 VIC.
c. 69,
PARLIAMEN-
TARY
VOTERS
ACT,
1850.

Clerks of
Unions in
1850 to make
out and
transmit to
Clerks of
Peace Re-
turns of Per-
sons rated as
Occupiers of
Lands, &c. of
annual Value
of 12*l*. or
upwards who
have duly
paid their
Poor Rates.

Union Clerks
to make in-
quiry and
enter objec-
tions :
Poor Rate
Collectors to
assist.

Union Clerk
to verify his
Returns on
oath.

form, requiring Returns in prescribed forms, of persons in the union entitled to vote in the county under the act, (§ 16).

‘§ 17. And be it enacted, That the Clerk of each Poor Law Union wholly or in part within the Limits of any County in Ireland shall, on or before the Tenth Day of October in the Year One thousand eight hundred and fifty, make out and transmit to the Clerk of the Peace of each County into which any Part of such Union extends, a List or Return for each Barony or Division of a Barony of such County situate within such Union, of every Male Person of full Age who shall be rated in the then last Rate made under the Acts for the more effectual Relief of the destitute Poor in Ireland as the Occupier of any Lands, Tenements, or Hereditaments, situate in such Barony or Division of a Barony, and within such Union, of a net annual Value of Twelve Pounds or upwards, excluding nevertheless from such Return every such Occupier who shall not, on or before the Thirtieth Day of September in such Year, have paid all Poor Rates (if any) which shall have become payable by him in respect of such Premises previously to the Thirty-first day of March then last; and such Return shall be in the Form and shall contain the Particulars mentioned in the Form (Number 4) in the Schedule (A) to this Act annexed: and each such Clerk of a Union, after due Inquiry, which he is required to make, with the Assistance of the respective Collector or Collectors of Poor Rates for such respective Barony or Division of a Barony (and which Assistance such Collector or Collectors is and are hereby required to give for such Purpose), shall and is hereby required to add, by a Stamp, or in Writing, in the Margin of such Return, the word “objected” to the Name of any Person inserted in such Return, in case such Clerk of the Union shall have reasonable Cause to believe such Person not to be or to have ceased to be Occupier as aforesaid of the Lands, Tenements, or Hereditaments in respect of which he shall have been so rated, or not to have been such Occupier during the whole Period from the Ninth Day of November in the then last preceding Year to the Time of making such Return; and such Clerk of the Union shall also in like Manner add the Word “objected” or “dead” before the Name of any Person in such Return, if such Clerk of the Union shall have reasonable Cause to believe that such Person is not entitled to have his Name on the Register of Voters then next to be made for such County, or is dead, as the case may be: and such Return shall be signed by such respective Clerk of the Union, and shall be verified by him as true and correct, according to the best of his Belief, by an Oath to be made by him before some Justice of the Peace in and for the said County within which such Lands are situate, or the County in which the Union Workhouse is situate, and which Oath

any such Justice is hereby authorized and required to administer; and such Justice shall, under his Hand, certify at the Foot of such Return the taking of such Oath.

13 & 14 Vic.
c. 69,
PARLIAMEN-
TARY
VOTERS
ACT,
1850.

The Clerk of the Peace is to annex to the list of registered voters for each Barony, a Supplemental List of rated occupiers returned by the Clerk of Union not on previous list, and to record Objections and publish the lists, in manner directed (§ 18).

‘§ 19. And be it enacted, That the Clerk of each Poor Law Union wholly or in part within the Limits of any County in Ireland, on or before the Eighth Day of July in every Year after One thousand eight hundred and fifty-one, shall, after due Inquiry, which he is hereby required to make, with the Assistance of the respective Collector or Collectors of Poor Rates (which Assistance such Collector or Collectors is and are hereby required to give), upon the Copy of the Register of each Barony or Division of a Barony of such County included within such Union, transmitted to him in such Year by the Clerk of the Peace of such County, enter Objections to the Names of Persons not entitled to be on the Register then next to be made, in manner following: that is to say, such Clerk of the Union shall add, by a Stamp or in Writing, in the Margin for such Purpose, the Word “objected” or “dead,” before the Name of any Person whose Qualification, as stated on such Copy of Register, is as rated Occupier of Lands, Tenements, or Hereditaments of the annual Value of Twelve Pounds or upwards, if such Person shall not have been rated in the then last Rate made under the Acts for the more effectual Relief of the destitute Poor in Ireland as the Occupier of the same Lands, Tenements or Hereditaments in such respective Barony of a net annual Value of Twelve Pounds or upwards,—or if such Person shall not, on or before the First Day of July in such Year, have paid all Poor Rates (if any) which shall have become payable by him in respect of such Lands, Tenements, or Hereditaments, previously to the First Day of January in such Year,—or if such Clerk of the Union shall have reasonable Cause to believe such Person not to be or to have ceased to be Occupier as aforesaid, or not to have been such Occupier during the whole Period from the Twentieth Day of July in the then last preceding Year to the then present time,—or if such Clerk of the Union shall have reasonable Cause to believe such Person not to be entitled to have his Name on the Register of Voters then next to be made for such County, or to be dead, as the case may be: and such Copies of Register shall be in the Form and shall contain the Particulars mentioned in the Form (Number 14) in the Schedule (A) to this Act annexed; and such Copies of Register shall be signed by such respective Clerk of the Union,

Union Clerks in each year (with assistance of Collectors) to enter on Copy of Register of each Barony, &c., Objections to all Persons therein stated to be qualified as rated Occupiers of Lands, &c. of annual Value of 12*l.* or upwards, who have not duly paid their Poor Rates, or are otherwise not entitled:

Copy of
Register to

13 & 14 VIC.
c. 69,
PARLIAMEN-
TARY
VOTERS
ACT,
1850.

be verified
by Union
Clerk on
Oath;
and to be
returned to
Clerk of
Peace.

and shall be verified by him as true and correct, according to the best of his Belief, by an Oath to be made by him before some Justice of the Peace in and for the said County within which such Lands are situate, or the County in which the Union Workhouse is situate, and which Oath any such Justice is hereby authorized and required to administer, and to certify at the Foot of such Copies of Register the taking of such Oath: and such Clerk of the Union shall return each such Copy of Register, with all such marginal Additions as aforesaid, to the Clerk of the Peace of such respective County wherein such Barony or Division of a Barony is situate, on or before the Eighth day of July in such Year: Provided always, that in case any Barony of a County shall be divided, so as to lie in more than One Union, the Clerk of the Peace of such County shall transmit as aforesaid One or more Copies of Register for such Barony to the Clerk of each such Union, together with a List of the Townlands situate in the respective Division of such Barony situate in such Union, who shall deal with such Copy of Register, and the Names of the Persons contained therein, so far as it relates to the Division of such Barony within his Union, in all respects as in this Provision is directed or required in the Case of a Barony not so divided.

Union Clerks
also to trans-
mit to Clerk
of Peace, an-
nually, Sup-
plemental
Lists of Per-
sons rated as
Occupiers of
Lands of
annual Value
of £12 or
upwards, who
have paid
their Poor
Rates, and
are not
already on
the Register
for the
Barony; and
to record Ob-
jections:

Poor Rate
Collectors to
assist.

‘20. And be it enacted, That the Clerk of each Poor Law Union wholly or in part within the Limits of any County in Ireland, shall, on or before the Eighth Day of July in every Year after the Year One thousand eight hundred and fifty-one, make out, and, together with such Copy of Register for each such Barony or Division of a Barony of the County within his Union, transmit to the Clerk of the Peace of the County as aforesaid, a Supplemental List of every Male Person of full Age not already appearing on such Copy of Register, who shall be rated in the then last Rate made under the Acts for the more effectual Relief of the destitute Poor in Ireland as the Occupier of any Lands, Tenements, or Hereditaments situate within such Union, and in such respective Barony or Division of a Barony, as the Case may be, of a net annual Value of Twelve Pounds or upwards,—excluding nevertheless from such Supplemental List every such Occupier who shall not on or before the First Day of July in such Year have paid all Poor Rates (if any) which shall have become payable by him in respect of such Lands, Tenements, or Hereditaments previously to the First Day of January then last: and such Clerk of the Union is hereby required, after due Inquiry as aforesaid, with the Assistance of the respective Collector or Collectors of Poor Rates as aforesaid, (which Assistance such Collector or Collectors is and are hereby required to give,) to enter Objections before the Names of Persons in such Supplemental List contained, and not entitled to be on the Register next to be made, in like Manner in all respects and in the like Cases as in the immediately pre-

ceding Provision^a directed and required with regard to the Copy of Register of such Barony or Division of a Barony and the Names therein contained: and such Supplemental List shall be in the Form and shall contain the Particulars mentioned in the Form (Number 15) in the Schedule (A) to this Act annexed; and such List shall be signed by such respective Clerk of the Union, and shall be verified by him as true and correct, according to the best of his Belief, by an Oath to be made by him before some Justice of the Peace in and for the said County within which such Lands are situate, or the County in which his respective Union Workhouse is situate, and which Oath any such Justice is hereby authorized and required to administer and to certify at the Foot of such List the taking of such Oath.'

13 & 14 Vic.
c. 69,
PARLIAMEN-
TARY
VOTERS
ACT,
1850.

Lists to be
verified by
Union Clerk,
on oath.

On the copy of the Register in each Barony, returned by the Clerk of the Union as above, the Clerk of the Peace is to record objections, and publish such Copy of Register in manner directed (§ 21). Notice requiring voters to claim, to be published annually by Clerk of the Peace (§ 22), who is also to prepare Lists of claimants, and record objections thereon; such Lists to be open for inspection and for sale (§ 23). Such Register and Supplemental Lists to be deemed to be the List of Voters (§ 24).

'§ 25. And be it enacted, That it shall be lawful for any Person whose Name shall be on any List of Voters for the Time being, for any County in Ireland,—upon Request made by him, at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day, except Sunday, *between the Twelfth Day of November and the Thirteenth Day of December in the Year One thousand eight hundred and fifty, and between the Twenty-seventh Day of July and the Twenty-first Day of August in every Year after One thousand eight hundred and fifty-one*, to any Clerk of the Union or other Officer having the Custody of any Poor Rate Book^b,—to inspect such Poor Rate Book, and make Extracts therefrom, for any Purpose relating to any Claim or Objection made or intended to be made by or against such Person; and every such Clerk of the Union or other Officer as aforesaid is hereby required, upon such Request as aforesaid, to permit such Inspection and the making of such Extracts, without Payment of any Fee.'

Registered
Voters
empowered
to inspect
Rate Books,
and to take
Extracts,
without pay-
ment.

Any registered voter may object to any other registered voter, notice of objection being given in manner provided (§ 26): and the Clerk of the Peace is to make

^a § 19.

^b See note ^a in p. 340, and note ^b in p. 346.

13 & 14 Vic.
c. 69,
PARLIAMEN-
TARY
VOTERS.

*Borough Re-
gistration.*

Town Clerks
empowered
to inspect
Rate Books,
and extract
particulars
therefrom.

Poor Rate
Collector to
deliver to
Town Clerk
List of De-
faulters,
when re-
quired by
Town Clerk.

Town Clerk
to keep List
of Defaulters
open to In-
spection at
certain times.

out a List of the persons objected to, which is to be open to inspection and published (§ 27).

In Boroughs, Clerk of Peace to deliver to Town Clerk Precepts, Forms, and printed Lists (§ 29). Town Clerks to publish before registration, a notice requiring payment of poor rate (§ 30).

‘§ 31. And be it enacted That the Town Clerk of every such City, Town, or Borough, for his Assistance in making out the List of Voters as herein-after mentioned^a, (upon Request made by him at any Time between the Hours of Ten of the Clock in the Forenoon, and Four of the Clock in the Afternoon of any Day, except Sunday, *between the Fifth Day of November and the Twelfth Day of December, in the Year One thousand eight hundred and fifty, and between the Sixteenth Day of June and the Twentieth Day of July in every Year after One thousand eight hundred and fifty-one*, to any Collector of Poor Rates, or to any other Officer having the Custody of any such Rate or Rate Book^b), shall have free Liberty to inspect the same, and to extract such Particulars as may appear to such Town Clerk to be necessary: and every Collector of Poor Rates of Premises within such City, Town, or Borough, or Officer having the Custody of the Rate Books relating to the same, shall (if required by the Town Clerk), within Four Days after *the Thirtieth Day of September in the Year One thousand eight hundred and fifty, or the First Day of July in every Year after One thousand eight hundred and fifty-one*, make out and deliver to the said Town Clerk a List containing the Name and Place of Abode of every Person who shall not have paid *on or before the Thirtieth Day of September in the Year One thousand eight hundred and fifty, and on or before the said First Day of July in each Year after One thousand eight hundred and fifty-one*, all such Rates within the Collection of such Collector as aforesaid which shall have become payable by him (if any) in respect of the Occupation of any Lands, Tenements, or Hereditaments in such City, Town, or Borough, describing such Premises, *previously to the Thirty-first Day of March One thousand eight hundred and fifty (as regards the Register for the Year One thousand eight hundred and fifty-one)*, and previously, in any succeeding Year, to the First Day of January in such Year; and the Town Clerk shall keep the said List, to be perused by any Person, without payment of any Fee, at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day, except Sunday, during the first Fourteen Days after the List of Voters shall have been published, as herein-after mentioned.

^a § 33.

^b The Clerk of the Union (or in the municipal district of the City of Dublin, the Collector-General,) is the officer having the custody of the rate book.

‘32. And be it enacted, That the Clerk of every Poor Law Union comprising the whole or any Part of any City, Town, or Borough in Ireland returning a Member or Members to serve in Parliament, shall, *on or before the Tenth day of October in the Year One thousand eight hundred and fifty, and on or before the Eighth Day of July* in every Year after One thousand eight hundred and fifty-one, make out and transmit to the Town Clerk of each such City, Town, or Borough, a List of every Male Person of full Age who shall be rated in the then last Rate made under the Acts for the more effectual Relief of the Destitute Poor in Ireland, as the Occupier of any Lands, Tenements, or Hereditaments situate within such City, Town, or Borough, of a net annual Value of Eight Pounds or upwards,—and of every such Person as last aforesaid who shall be rated in the then last Rate made under the said Acts jointly with any other Person or Persons as the Occupier of any such Lands, Tenements, or Hereditaments situated as aforesaid, of a net annual Value of such an Amount as when divided by the Number of Occupiers would give to each such Occupier a net annual Value of Eight Pounds or upwards,—excluding nevertheless from such List every such Occupier and every such joint Occupier who *shall not in the Year One thousand eight hundred and fifty, on or before the Thirtieth Day of September, and in each Year after One thousand eight hundred and fifty-one shall not on or before the First Day of July in such Year, have paid all Poor Rates (if any) which shall have become payable by him in respect of such Premises previously (in the Year One thousand eight hundred and fifty) to the Thirty-first Day of March in such Year, and previously (in any Year after One thousand eight hundred and fifty-one) to the First Day of January then last; and such Lists shall be in the Form and shall contain the Particulars mentioned in Form (No. 6) in the Schedule (B) to this Act annexed; and such Lists shall be signed by such respective Clerk of the Union, and shall be verified by him as true and correct according to the best of his Belief, by an Oath or Declaration to be taken or made by him before some Justice of the Peace acting in and for the said City, Town, or Borough, or the County in which the Union Workhouse is situate, and which Oath or Declaration any such Justice is hereby authorized and required to take.*

13 & 14 Vic.
c. 69,
PARLIAMEN-
TARY
VOTERS
ACT,
1850.

Clerks of
Unions to
transmit to
Town Clerk
List of Per-
sons rated as
Occupiers of
Premises of
an annual
Value of £8
or upwards.

Lists to be
verified by
Union Clerk,
by an oath
or declara-
tion.

The Town Clerks are to make out annually, Lists of persons entitled to vote according to the Lists furnished by the Clerks of Unions, with Lists of Persons entitled to vote otherwise than by virtue of being rated for poor rate; and to record Objections thereon in manner provided: such Lists to be open to inspection, and published in manner directed (§ 33). Persons omitted from the

13 & 14 VIC. Lists may claim to be inserted therein, and the Lists of
 c. 69, Claimants are to be published (§ 34).
 PARLIAMEN-

TARY
 VOTERS
 ACT,
 1850.

Registered
 Voters and
 Claimants
 may inspect
 Rate Books,
 and take
 Extracts,
 without pay-
 ment.

‘§ 35. And be it enacted, That it shall be lawful for any Person whose Name shall be on any List of Voters for the Time being for any such City, Town or Borough, or for any Person who shall have claimed to have his Name inserted in any such List,—upon Request made by any such Person, at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day, except Sunday, *between the Fifteenth Day of November and the Twelfth Day of December in the Year One thousand eight hundred and fifty, and between the Twenty-seventh Day of July and the Twentieth Day of August in each Year after One thousand eight hundred and fifty-one*, to any Collector of Poor Rate or other Officer having the Custody of any such Rate or Rate Book*,—to inspect the same, and make Extracts therefrom, for any Purpose relating to any Claim or Objection made or intended to be made by or against such Person; and every such Collector or other Officer as aforesaid, is hereby required, upon such Request as aforesaid, to permit such Inspection and the making such Extracts, without payment of any Fee.’

Any person entered in the List of Voters may object to any other person in the List, notice of objection being given in manner provided (§ 36.) Lists of persons objected to are to be made and published (§ 37.) The Town Clerk is to deliver copies of the Lists of Voters, of Claimants, and of persons objected to, &c., to the Clerk of the Peace (§ 38).

The 39th and subsequent sections relate to the publication of the Lists, revision thereof by Revising Barristers, &c.

Duties of
 Union Clerks
 and Col-
 lectors.

The Clerks of Unions, or deputies appointed by them for the purpose, are required to attend the Revision Courts, with the rate books or compared copies thereof, &c., and give evidence (§ 46, 48, 49): and Collectors of poor rates may be required by the Assistant Barrister to attend and give evidence (§ 50). The Clerks and Collectors may be fined from £1 to £5 for non-attendance when summoned by the Assistant Barrister (§ 66): and Clerks of Unions, &c., are liable to penalties for neglect of duties in other respects (§ 67): and also liable to action for breach of duty, and penalty of £100 (§ 103).

^a See note ^a in p. 340, and note ^b in p. 346.

‘107. And be it enacted, That for the Purpose of facilitating the Formation of the Register of Electors according to the Provisions of this Act, the Commissioners for administering the Laws for the Relief of the Poor in Ireland shall, with all convenient Speed after the passing of this Act, cause the Name of the Barony or Half Barony within which any Townland is situate to be attached to the Name of such Townland in the existing Rate Books^a of each Union; and in all future Rate Books^a shall cause the Name of each Barony or Half Barony to be attached to the Name of each Townland in such Barony where such Townland is mentioned in such Rate Books.’

13 & 14 Vic.
c. 69.

Poor Law Commissioners to cause the Names of Baronies in which Townlands are situate to be inserted in Rate Books.

‘109. And be it enacted, That the respective Collector of Poor Rates shall attend in Person, or by a sufficient Deputy, duly appointed by him by Writing under his Hand, at some Place in each Barony (of which he shall give Public Notice) within the Union or Part of the Union whereof he is Collector, *during the Thirtieth day of September in the Year One thousand eight hundred and fifty, and during the Three next preceding Days, exclusive of Sunday, and in each Year after One thousand eight hundred and fifty-one during the First day of July (not being Sunday), and during the Three next preceding Days, exclusive of Sunday, or if the First Day of July be Sunday then during the Four next preceding Days in each such Year, for the Purpose of giving Receipts for Poor Rate to any Persons requiring the same and paying the Amount of Poor Rate then payable by them; and the respective Collector of Poor Rate, or a sufficient Deputy for him as aforesaid, shall in like Manner attend at a Place (of which he shall give public Notice) in every such City, Town, or Borough as aforesaid within the Union or Part of the Union of which he is Collector, during the like Days as before provided in the Year One thousand eight hundred and fifty, and (as regards each year after One thousand eight hundred and fifty-one) during the First Day of July (not being Sunday), and during the Three next preceding Days, exclusive of Sunday, or if the First Day of July be Sunday, then during the Four next preceding Days in each Year, for the like Purpose: and if any such Collector of Poor Rates shall not return to the Clerk of the respective Union the Names and Descriptions of the Persons who shall have paid their Poor Rates, and a Statement of the Sums respectively paid by them, within the Space of Two Days after the Thirtieth Day of September in the Year One thousand eight hundred and fifty,*

Collector of Poor Rates, or Deputy, required to attend to receive Poor Rates, at stated times, and public notice of place of attendance to be given.

And Collector to make Return of Persons who have paid rates, and amounts.

^a A General Order was issued by the Commissioners, dated 5th Sept. 1850, (3rd edit. of *Compendium*, p. 981), providing for the insertion of the Names of Baronies in the *then existing* Rate Books. It is considered unnecessary now to repeat that order herein. The Commissioners' General Order of 9th Sept. 1850, prescribing Forms of Rates, and the Instructions therein, provide for the insertion of the Names of Baronies and Half-Baronies, in future Rate Books: see Order, and introductory note thereto, in Part II. 6.

13 & 14 Vic.
c. 69,
PARLIAMEN-
TARY
VOTERS
ACT,
1850.

Penalty for
neglect on
the part of a
Collector.

or the First Day of July in any Year after One thousand eight hundred and fifty-one, or if any such Collector shall neglect or refuse to give his Assistance to the Clerk of the respective Union as by this Act required^a in or for the making out the Return or List of Rated Occupiers or the Copy of the Register in any Year for the Purposes of this Act, or shall wilfully and without reasonable Cause give any false Information which may lead to the Omission of, or the entering of an Objection to, the Name of any Person entitled to be inserted in such List, or to the Insertion of the Name of any Person not entitled to be inserted therein, such Collector shall be liable to a Penalty not exceeding Ten Pounds, to be recovered summarily before any Justice of the Peace and levied by Distress.'

16 & 17 Vic.
c. 58,
DUBLIN
PARLIAMEN-
TARY
REGISTRA-
TION ACT,
1853.

16 & 17 VICT. CAP. 58.

This act,—entitled “An Act to authorize the Appointment of Barristers for the Purpose of effecting a complete annual Revision of Lists and Registry of Voters for the City of *Dublin*, and to remove Doubts as to the Rate Books for the Purposes of such Registry,” and passed 4th August 1853,—recites the acts of 2 & 3 Wm. 4, c. 88, and 13 & 14 Vic. c. 69^b, and provides for the appointment of additional Revising Barristers, “for the purpose of having henceforward a complete annual Revision and Registration of the Parliamentary Voters for the City of Dublin;” the single Barrister heretofore appointed by the Chairman of Sessions of the County of Dublin, as his Deputy for the purpose, being insufficient, “by reason of the great numbers of persons claiming to be registered in and for the said City of Dublin:” and the act provides as follows in reference to the Rate Books to be used for the purposes of the Parliamentary Voters Act, in the City of Dublin:—

EXTRACT from 16 & 17 Vic. c. 58.

Removal of
Doubts re-
specting
Rate Books.

“§ 5. And whereas Doubts have arisen as to whether the Books of the Collector General of Rates in the City of Dublin, or the Books of the Boards of Guardians of the North and South Dublin Unions of the said City, are the Rate Books contemplated by the said Act of the Thirteenth and Fourteenth Years of the Reign of Her present Majesty^b, and it is expedient to remove such Doubts: Be it therefore enacted, That the Books of the said Collector General of Rates shall be deemed and taken to be the Rate Books contemplated by the said last-mentioned Act as regards

^a See § 17, 19 (p. 342, 343).

^b Parliamentary Voters Act, 1850, 13 & 14 Vic. c. 69 (p. 337).

all Portions of the City comprehended within the Municipal District of the said City; and that the Tender or Payment of the Poor's Rate by the said Act directed to be made^a, and the Notice of Claim to be rated, in like Manner directed to be served upon the said Guardians, shall, in respect of any Property situated within the Municipal District of the said City, in future be made to and served upon the said Collector General of Taxes, either in Person or through the Clerk in the public Office of the said Collector General, in Manner as directed by the said Act."

16 & 17 Vic.
c. 58,
DUBLIN
PARLIAMEN-
TARY
REGISTRA-
TION ACT,
1853.

TENEMENTS VALUATION ACTS.

INTRODUCTORY OBSERVATIONS.

The provisions of the Tenement Valuation Act of 1846 (9 & 10 Vic. c. 110), applied only, in the first instance, to certain Counties and Counties of Cities named in § 2 of the act;—namely, the Counties of Dublin, Tipperary, Waterford, Limerick, Cork, and Kilkenny; and the Counties of the Cities of Waterford, Limerick, Cork, and Kilkenny: although under § 73 of the act, its provisions might, on application from the Grand Jury, be extended by direction of the Lord Lieutenant to other Counties; and under § 11, the provisions of the act might be applied, in like manner, by direction of the Lord Lieutenant, to any City, Town, or Borough in Ireland, on application from the Town Council thereof. Thereupon, under § 1, so much of the General Valuation Act of 1836 (6 & 7 Wm. 4, c. 84), "as relates to the Valuation of any County, "County of a City, or County of a Town, which shall "hereafter be valued under the Provisions of this Act, "and to the Apportionment of County or Grand Jury "Cess therein, shall be repealed^b;" provision being also made, that the act of 6 & 7 Wm. 4 should continue in force in regard to all other Counties, and Counties of Cities and of Towns, until a re-valuation of the same might take place under the provisions of the act of 1846, and that thenceforth the provisions of the latter act should be acted upon.

TENEMENTS
VALUATION
ACTS.

9 & 10 Vic.
c. 110, 1846.

Repeal of
General
Valuation
Act, 6 & 7
Wm. 4, c.
84^b.

^a § 110 of 13 & 14 Vic. c. 69 (p. 339).

^b Under the General Valuation Act of 1836 (6 & 7 Wm. 4, c. 84), the valuation for County or Grand Jury assessments was a valuation not of separate Tenements, but of Townlands; the amount of valuation of each Townland being afterwards apportioned or apportioned by persons appointed for the purpose, upon the parties liable to pay the assessment in respect of the respective Tenements in the townland.

TENEMENTS
VALUATION
ACTS.

An abstract of the provisions of the Tenement Valuation Act of 1846, above referred to, so far as they concern the Valuations for the purposes of the Poor Rate, and the functions of Poor Law Officers. was given in the third edition of this work, and is repeated in the following pages.

9 & 10 Vic.
c. 110: Act
of 1846.

The act provided (§ 9), in regard to the Counties, &c. to which it applied, for a Valuation of all Tenements upon the principle of Net Annual Value laid down in the Irish Poor Relief Act, 1 & 2 Vic. c. 56, § 64; and also (§ 39,) for an Additional Valuation for the purposes of County Assessments, to be made upon a different basis and with reference to a scale of Prices of Agricultural Produce, specified in § 39 of the act, and subject to certain other provisions.

15 & 16 Vic.
c. 63: 1852.

The subsequent act of 1852, (15 & 16 Vic. c. 63, which will be referred to herein as the General Tenement Valuation Act,) provides for the making of "one uniform "Valuation of Lands and Tenements in Ireland, which "may be used for all public and local Assessments and "other Rating:" such valuation to be founded upon net annual value, as defined in § 11 of the act;—namely, in the case of Houses and Buildings, "the Rent for which, "one year with another, the same might in its actual "state, be reasonably expected to let from year to year," the cost of necessary repairs and rates, &c., being borne by the Tenant, this provision being similar to that in the Irish Poor Relief Act^b; and such Valuation in the case of Land, to be founded upon an estimate of the net annual value with reference to a standard of prices laid down in the same section, and somewhat different from the scale which had been given in the previous act for the purposes of the Valuation for County Assessments.

The act of 1852 repeals that of 1846, except so far as relates to Valuations completed or advanced to a certain state before the passing of the act of 1852; and it enabled the Tenement Valuation begun and partially completed under the act of 1846 to be completed under the same act, in certain cases. All the Valuations under the act of 1846, as well as those under the General Valuation Act of 1836 (6 & 7 Wm. 4, c. 84,) are, however, subject to revision from time to time under the General Tenement Valuation Act of 1852, or to be replaced by a new Valuation under

^a Sic: their? see the §, p. 368–9. ^b § 64 of 1 & 2 Vic. c. 56 (p. 49).

the latter, provision being made for an annual revision in regard to tenements subject to change (§ 29 of act of 1852,) and for a general revision or new valuation after the lapse of a certain number of years (§ 34).

TENEMENTS
VALUATION
ACTS.

From the importance of the act of 1852, and its relation to the poor law and other purposes connected therewith, I have inserted it at length in this volume, as well as two subsequent acts for its amendment.

Until a Tenement Valuation shall have been completed under the acts above adverted to, for any Union, &c., the Rates for the relief of the poor and for municipal and other purposes, will necessarily be founded upon Valuations made under the provisions in that behalf previously existing. Those relating to Poor Law Valuations are contained in the Poor Law Acts in the preceding pages; and provisions as to Valuations for municipal and other local purposes will be found in municipal and other acts inserted hereafter^a.

The following statements (the particulars of which are abstracted from a Return, dated 26th July, 1855, made to the House of Commons by the General Valuation Commissioner, Session 1855, No. 437,) show the progress made in the Valuations under the three acts above referred to:—

1. Counties in which the *Townland* Valuation has been completed, under the Act of 6 & 7 Wm. 4, c. 84: with the Date when that Valuation came into Operation for the Levy of County Assessment.

COUNTY.	DATE.
Antrim,	January, 1839.
Carrickfergus (Co. of Town) }	
Armagh,	November, 1839.
Carlow,	July, 1844.
Cavan,	June, 1844.
Clare,	May, 1848.
Donegal,	February, 1841.
Down,	March, 1839.
Fermanagh,	June, 1841.
Galway,	November, 1846.
Galway (County of Town),	July, 1846.
Kildare,	February, 1844.
Kilkenny,	May, 1848.
King's County,	January, 1847.
Leitrim,	June, 1842.
Londonderry,	October, 1836.

^a See provisions and references set forth under title *Valuation*, &c., in Index.

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COUNTY.	DATE.
Longford,	February, 1843.
Louth,	February, 1841.
Mayo,	December, 1844.
Meath,	April, 1841.
Monaghan,	July, 1840.
Queen's County,	November, 1846.
Roscommon,	May, 1843.
Sligo,	May, 1843.
Tyrone,	September, 1837.
Westmeath,	May, 1843.
Wexford,	February, 1848.
Wicklow,	February, 1845.

2. Counties in which the *Tenement* Valuation has been completed, under the Acts of 9 & 10 Vic. c. 110, and 15 & 16 Vic. c. 63; with the Date when it first came into Operation for the Levy of County Assessment.

COUNTY.	DATE.
Carlow,	June, 1853.
Cork,	July, 1854.
Cork (County of City), .	July, 1853.
Dublin,	May, 1853.
Dublin (County of City),	January, 1855.
Kerry,	July, 1853.
Kildare,	July, 1854.
Kilkenny,	} July, 1853.
Kilkenny (Co. of City),	
King's County,	June, 1855.
Limerick,	} June, 1853.
Limerick (Co. of City),	
Longford,	June, 1855.
Louth,	June, 1855.
Drogheda (Co. of Town),	July, 1854.
Meath,	June, 1855.
Queen's County,	June, 1853.
Tipperary (North Riding),	} June, 1853.
" (South Riding),	
Waterford,	} July, 1853.
Waterford (Co. of City),	
Westmeath,	June, 1855.
Wexford,	July, 1854.
Wicklow,	July, 1854.

3. Counties, the Valuation of which is in progress^a under 15 & 16 Vic. c. 63, (the General Tenement Valuation Act); with the probable Date of Completion.

COUNTY.	DATE.
Cavan,	Summer Assizes, 1856.
Clare,	Spring Assizes, 1856.
Donegal,	Summer Assizes, 1857.
Galway,	Spring Assizes, 1856.
Galway (County of Town),	Spring Assizes, 1856.
Leitrim,	Summer Assizes, 1856.
Mayo,	Spring Assizes, 1856.
Roscommon,	Summer Assizes, 1856.
Sligo,	Summer Assizes, 1856.

^a The date of the return from which this information is taken is 26 July, 1855.

4. Counties, the Valuation of which has not yet^a been commenced: and in regard to which it is stated, that the Tenement Valuation of these Counties may be finished in Two Years from the date when the revised Ordnance maps are received and the Valuation commenced:—

Antrim,

Armagh,

Down,

Fermanagh,

Londonderry,

Monaghan,

Tyrone.

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ACTS.

9 & 10 VICT. CAP. 110.

An Act to amend the Law relating to the Valuation of Rateable Property in *Ireland*.

[*Passed, 28th August 1846.*]9 & 10 Vic.
c. 110,
TENEMENT
VALUATION
ACT,
1846.

ABSTRACT of 9 & 10 Vic. c. 110, so far as its Provisions are connected with the Valuations for the Purposes of the Poor Rates.

“§ 9. And be it enacted, That in every Valuation hereafter to be made under the Provisions of this Act, the Commissioner of Valuation shall cause to be valued every Tenement which is a rateable Hereditament under the Provisions of an Act passed in the Session of Parliament held in the First and Second Years of the Reign of Her present Majesty Queen Victoria, intituled *An Act for the more effectual Relief of the destitute Poor in Ireland*^b; and shall also cause every such Tenement to be separately valued by the Valuator: and the Valuation thereof shall be made upon an Estimate of the net annual Value,—that is to say^c, of the Rent, for which, one Year with another, the same might in its actual State be reasonably expected to let from Year to Year, the probable annual average Cost of the Repairs, Insurance, and other Expenses, if any, necessary to maintain the Hereditament in its actual State, and all Rates, Taxes, and public Charges, if any, except Tithe Rent-charge, being paid by the Tenant.

Tenements
rateable under Irish
Poor Relief
Act to be
valued separately,
according to net
annual Value.

“10. And be it enacted, That in valuing the Property situated in any of the Towns liable to the Payment of any Rate or Assessment under the Provisions of an Act passed in the Ninth Year of His late Majesty King George the Fourth, intituled *An Act to make Provision for Lighting, Cleansing, and Watching of Cities, Towns Corporate and Market Towns, in Ireland, in certain Cases*^d,—and in valuing the rateable Hereditaments situated in any of the Cities, Towns, or Boroughs liable to the Payment of any Rate or Assessment under the Provisions of an Act passed in the Fourth Year of the Reign of Her present Majesty,

Property
rateable for
Municipal
Purposes,
&c. but not
for Poor
Rate, to be
valued separately:
9 G. 4, c. 82;
3 & 4 Vic.
c. 108;
Private or
local Acts:

^a The date of the return from which this information is taken is 26 July, 1855.

^b 1 & 2 Vic. c. 56, § 63 (p. 48).

^c As under the Irish Poor Relief Act, 1 & 2 Vic. c. 56, § 64 (p. 49).

^d 9 Geo. 4, c. 82, “an Act to make Provision for the Lighting, Cleansing, and Watching, of Cities, Towns Corporate, and Market Towns, in Ireland, in certain Cases,” (p. 407).

9 & 10 Vic.
c. 110,
TENEMENT
VALUATION
ACT,
1846.
—

Separate
Valuations
to be trans-
mitted to
Municipal
body.

6 & 7 Vic.
c. 93.

Lord Lieute-
nant, on
Application
from Town
Council, may
direct a
Tenement
Valuation
to be made
according
to net an-
nual Value:
Rates and
Taxes there-
after to be
assessed upon
such valua-
tion.

intituled *An Act for the Regulation of Municipal Corporations in Ireland^a*, or under the Provisions of any private or local Act for cleansing, watching, improving, paving, or supplying with Water any such City, Town, or Borough, and which are or shall be by Law exempted from the Rate or not rateable to or which shall not be included in the Rate for the Relief of the Poor in the Union wherein the same may be situate,—and in the Case of Dwelling Houses valued together with other Property,—the said Commissioner of Valuation shall cause to be made and declared separate Valuations of all or any such Hereditaments, Property, and Dwelling Houses: and every such separate Valuation of Property not rateable as aforesaid shall contain in a separate Column a Statement of the Ground of such Exemption; and the said Commissioner of Valuation shall transmit a Copy of such separate Valuation to the Town Council or Commissioners appointed under any such Act, for the City, Town Corporate, or Market Town in which the said Property or Dwelling Houses may be situate; and thereupon the Provisions contained in an Act passed in the Session of Parliament held in the Sixth and Seventh Years of Her present Majesty Queen Victoria, intituled *An Act to amend an Act of the Third and Fourth Years of Her present Majesty, for the Regulation of Municipal Corporations in Ireland^b* shall be deemed to apply to such separate Valuation, in like Manner as if the same had been made under the Provisions of the said last-mentioned Act.

“11. And be it enacted, That on the Application of the Town Council of any City, Town, or Borough in Ireland to the Lord Lieutenant, he may, if he shall think fit so to do, direct the Commissioner of Valuation to make a Valuation in Tenements, according to the net annual Value, of such City, Town, or Borough^c, and to transmit a Copy thereof to the Mayor or Town Clerk of such City, Town, or Borough; and from and after the Receipt of such Valuation, the several Rates and Taxes to be assessed upon such City, Town, or Borough for the Support of the Poor, or under the before-mentioned Act for the Regulation of Municipal Boroughs in Ireland, or under the before-mentioned Act of the Ninth Year of His late Majesty King George the Fourth, or under any local Act, or for County Cess, shall be raised off the Persons liable to pay the same, according to such Valuation so signed and amended and no other, unless and until the same shall be revised or revalued under the Provisions of this Act^d: Provided always, that such Valuation shall not affect the

^a 3 & 4 Vic. c. 108 (p. 412).

^b 6 & 7 Vic. c. 93, § 18, 19 (p. 449, 450).

^c Similar provision in § 73, for directing a Tenement Valuation to be made under this act, on application from the Grand Jury; (p. 364).

^d § 30 (p. 361,) *et seq.*

relative Proportion of the County Cess to be borne by such City, Town, or Borough. 9 & 10 Vic. c. 110,

“12. And be it enacted, That in valuing the rateable Hereditaments situated in any of the Boroughs named in the Schedules (A) and (B) annexed to the Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in Ireland*^a, or in any other Town to which a Charter of Incorporation may under the said Act be granted, the said Commissioner of Valuation shall cause to be estimated, in addition to the net annual value of each Tenement, as herein-before directed, the probable annual average cost of the Landlord's Repairs and Landlord's Insurance.” TENEMENT VALUATION ACT, 1846. Landlord's Repairs and Insurances to be also estimated in certain Boroughs. 3 & 4 Vic. c. 108.

Section 13 gives power of entry upon Lands or Houses for the purposes of the act; and § 14 requires the Valuers to enter the particulars of the Valuation of each Parish, and of the Townlands and Tenements therein, in a separate field book to be transmitted to the Commissioner of Valuation.

“§ 15. And be it enacted, That when a Part only of any Union shall be included within the Limits of any of the Counties to be valued under this Act, the Commissioner of Valuation, on the Application of the Poor Law Commissioners, shall make a new Valuation in Tenements, according to the net annual Value of the Portions of such Unions as may extend beyond the Limits of the said Counties respectively: Provided always, that such Valuation shall not affect the relative Proportion of County Cess to be borne by any Barony, Parish, or Townland not included within the Limits of the County to be so valued. Where part of Union is within Counties valued under this act, remainder of Union to be similarly valued on application of Poor Law Commissioners.

“16. And be it enacted, That when and so soon as the Valuation of all the Parishes within any Barony or County of a City or County of a Town to be valued under this Act, as the Case may be, shall be completed, the Commissioner of Valuation shall prepare and make out a List or Table of the several Tenements contained in each Townland or other Denomination in every such Parish according to the net annual Value; and the said Commissioner of Valuation shall transmit a sufficient Number of printed Copies of such Lists, in the Form (A) set forth in the Schedule annexed to this Act^b, to the Clerk of the Board of Guardians of any Union in which any Townland contained in such Schedule is situated, and to the Town Council of any City, Borough, or Town interested therein; and the said Commissioner of Valuation shall specify at the Foot of the Lists of Tenements in each Parish, herein-before directed to be made, the Day and Place appointed by him for hearing Appeals against the Valua- Lists of Tenements and Valuation thereof, to be sent to Clerks of Guardians and to Town Council; and Day and Place for hearing Appeals to be specified at foot of such Lists.

^a 3 & 4 Vic. c. 108; Boroughs named in Schedules A & B, p. 437-8.

^b p. 364.

9 & 10 Vic.
c. 110,
TENEMENT
VALUATION
ACT,
1846.

Clerk of
Guardians to
post Notices
of Places at
which Lists
may be in-
spected:
and Lists to
be left for in-
spection, at
places speci-
fied;

and copies or
extracts may
be taken:

Copies of
Lists to be
renewed, if
defaced or
destroyed.

Appeal
against Valua-
tion, on No-
tice within
40 days to
Union Clerk,
who is to
transmit
same to the
Valuation
Commis-
sioner;
who is to pre-
pare state-
ment of in-
tended Ap-
peals to be
laid before
Guardians.

tion of the separate Tenements contained in the said Lists, as is herein-after provided^a.

“17. And be it enacted, That every Clerk of any Board of Guardians to whom printed Copies of any such Lists shall be transmitted as aforesaid, shall forthwith, on the Receipt of the said Lists, cause to be affixed a Notice on the principal outer Door of the Church and of any One Roman Catholic Chapel and of any One Presbyterian Meeting House within every Parish belonging to the Union in which any Townland contained in such Lists is situate, stating the Time and Place at which the said Lists may be inspected; and shall at all reasonable Hours on every Day, from and after the Receipt of the said Lists, for Twenty-eight Days then next ensuing, leave at the Workhouse of the Union, at the Station of each Party of Constabulary, and at such other Place (if any) as may be selected by the Board of Guardians, Copies of the said Lists, to be inspected by any Occupier of Lands or Tenements within the Parish, or any Ratepayer in respect of any rateable Hereditament therein; and shall permit such Occupier or Ratepayer to take Extracts therefrom at all reasonable Times, as aforesaid: and if any such Copy or Copies of the said Lists shall be destroyed or defaced at any Time within Fourteen Days after lodging the same, the Clerk of the Board of Guardians shall transmit a new Copy or Copies of every such List, and so from Time to Time when any such Copy shall be defaced or destroyed.

“18. And be it enacted, That at any Time within Forty Days after the posting of the said Notice as aforesaid^b, any Person aggrieved by the Valuation of any Tenement in the said List contained may send or deliver to the Clerk of the Board of Guardians a Notice in Writing, duly signed by him the said Person aggrieved, of his Intention to appeal against the said Valuation; and the Ground of Appeal shall be stated in such Notice: and the Clerk of the Board of Guardians shall forthwith transmit the said Notices of Appeal to the Commissioner of Valuation; and the said Commissioner of Valuation shall thereupon prepare a Statement of the Notices of Appeal, and the Grounds thereof respectively, in each Parish, and shall transmit the said Statement to the said Clerk, who on Receipt of the said Statement, shall lay it before the Board of Guardians at their next meeting.”

On receipt of such Notices of Appeal, the Valuation Commissioner may cause the Tenements to be valued again by another Valuator, before the hearing of the Appeal (§ 19) by Sub-Commissioners to be nominated for the purpose by the Valuation Commissioner, who is to “direct Two Sub-Commissioners to hear and determine the Appeals against the Valuation of the Tenements in

^a § 18 *et seq.*

^b § 17.

each of the Parishes of the said Barony or County of a City, or County of a Town, as the case may be, such Sub-Commissioners not having been previously employed in making or examining such Valuation" (§ 20): the Sub-Commissioners may summon witnesses and examine them on oath, and the field-books are to be produced (§ 21).

9 & 10 Vic.
c. 110,
TENEMENT
VALUATION
ACT,
1846.

"§ 22. And be it enacted, That if, upon the hearing of any such Appeal, it shall appear to the Sub-Commissioners, that there is any just Cause of Complaint against such Valuation or any Part thereof, by reason of the Valuation not having been made on a just and proper Estimate of the net annual Value of any Tenement or Tenements, as is herein-before directed^a, or on any other account whatsoever, it shall be lawful for such Sub-Commissioners, if they shall see fit, to alter or amend such Valuation; and the said Sub-Commissioners shall make out and sign a Statement of all the Cases in every Parish in which they shall have altered the Value of any Tenement, or otherwise amended the Valuation, or refused to do so, and shall within Six Days transmit the said Statement, so signed, to the Clerk of the Board of Guardians, or other Person by this Act required to act in lieu of such Clerk, who shall forthwith make the same public by all and every the same Ways and Means by which the Lists of Tenements in the Form (A) to this Act annexed are herein before required^b to be made public: Provided always, that in all Cases in which no Clerk shall have been appointed to the Board of Guardians of any Union, it shall be lawful for the Poor Law Commissioners to appoint a Person to act in his Stead.

Sub-Com-
missioners to
hear Appeals,
and may al-
ter or amend
Valuation;
and state-
ment of alte-
rations, or
result of Ap-
peal, to be
sent to Clerk
of Guardians;
who is to
publish same.

If no Clerk
of Union,
Poor Law
Commission-
ers to appoint
one.

"§ 23. And be it enacted, That if any Person or Persons shall find himself or themselves aggrieved by any Order or Decision of such Sub-Commissioners, it shall be lawful for such Person or Persons to appeal to the next Sessions of the Peace to be held in the Presence of the Assistant Barrister or Recorder, in and for the County, County of a City, or County of a Town, in which such Order or Decision shall have been made, provided One Calendar Month shall intervene between the signing of such Statement and the first Day of the Sessions of such District; or if such Sessions shall be held before the Expiration of One Calendar Month next after the signing of such Statement, then such Appeal shall be made to the next following Sessions.

Person ag-
grieved by
decision of
Sub-Com-
missioners
may appeal
to Quarter
Sessions
within time
limited.

"§ 24. And be it enacted, That the Person or Persons so appealing as aforesaid shall give or cause to be given at least Fourteen Days' Notice in Writing of his or their Intention of appealing as aforesaid, and of the Matter and Cause thereof, to the Clerk of the Board of Guardians, who shall forward the same without Delay to the Commissioner of Valuation, as the Respondent in the

Appellant to
give Notice
to Union
Clerk, who is
to forward
same to
Valuation
Commis-
sioner.

^a § 9, 10 (p. 355).

^b § 17 (p. 358).

9 & 10 Vic.
c. 110.
TENEMENT
VALUATION.

And Notice
to other per-
sons affected.

Provisions of
Irish Poor
Relief Acts
as to Recog-
nizances,
Costs, &c.
extended to
Appeals un-
der this Act.

1 & 2 Vic.
c. 56.

2 & 3 Vic.
c. 1.

6 & 7 Vic.
c. 92.

Decision on
Appeal to be
final.

Guardians to
pay necessary
Expenses of
Clerk of
Union in
execution of
act.

When Val-
uation is com-
pleted, Copy
to be sent to
Board of
Guardians
and Town
Council.

said Appeal; and if the Cause of Appeal shall be such as to require Alteration to be made in the Valuation of any Tenement for which any other Person or Persons is or are liable to be rated, the Appellant shall give a like Notice to such other Person or Persons; and the Justices and Assistant Barrister or Recorder to whom such Appeal shall be made shall not examine or inquire into any other Cause or Ground of Appeal than such as is stated and specified in the Notice of Appeal; and the Provisions of the said Act passed in the Session of Parliament held in the First and Second Years of Her present Majesty, and of an Act passed in the Second Year of Her said Majesty, intituled *An Act to amend an Act of the First and Second Year of Her present Majesty, for the more effectual Relief of the Destitute Poor in Ireland*, and of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her said Majesty, intituled *An Act for the further amendment of the Act for the more effectual Relief of the Destitute Poor in Ireland*, which require certain Recognizances to be entered into by Parties appealing against a Conviction or Poor Rate under the said Acts, and which empower the Justices and Assistant Barrister or Recorder to award Costs to the Party appealing or appealed against, and which relate to the Jurisdiction of the Sessions of the Peace in certain Cases^a, shall extend to Appeals made to the Sessions of the Peace under this Act: Provided always, that if the Costs of such Appeal shall be awarded against the Commissioner of Valuation or the Sub-Commissioners, such Costs, when paid by such Commissioner or Sub-Commissioners, together with the necessary Costs incurred by such Commissioner or Sub-Commissioners in defending such Appeal, shall be deemed to be and charged as Part of the Expense of the Valuation.

“25. And be it enacted, That the Justices and the Assistant Barrister or Recorder before whom any Appeal shall be brought, are hereby empowered and required to hear and determine the Matter of such Appeal, and to make such Order therein as to them shall seem fit, which Order shall be final and conclusive on all Parties.

“26. And be it enacted, That the Guardians of the Poor of the Union shall, out of any Funds under their Control, pay to the Clerk of the Guardians the reasonable Expenses which he shall have incurred in the Execution of this Act, as well as a reasonable Remuneration for his Expenses when absent from the Workhouse under the Requirements of this Act.

“27. And be it enacted, That so soon as the Valuation of any Union shall have been finally completed in the Manner aforesaid, the said Commissioner of Valuation shall transmit to the Board of Guardians of the Union in which any Townland or Townlands comprised in the said

^a 1 & 2 Vic. c. 56, § 111, 112 (p. 86); 2 Vic. c. 1, § 9 (p. 102); and 6 & 7 Vic. c. 92, § 8 (p. 114): and see 12 & 13 Vic. c. 104, § 23 (p. 200).

Valuation is or are situate, and to the Town Council of any City, Town, or Borough interested therein, a Copy of the Valuation of the several Tenements in the said Townland or Townlands in the Form (B)^a to this Act annexed, signed by him the said Commissioner of Valuation.

“28. And be it enacted, That every Rate for the Relief of the Destitute Poor in every Union which shall be made after Thirty Days from the Time when the Board of Guardians shall have received the Valuation of all the Townlands comprised in the Union, and every Rate made by any Town Council, shall be made upon the Persons liable to pay the same according to the Valuation so signed and transmitted as aforesaid by the Commissioner of Valuation, and upon no other: Provided always, that nothing herein contained shall be construed to prevent the Board of Guardians, or the Town Council, or the Assistant Barrister and Justices on Appeal, from altering the Name of any Occupier or Immediate Lessor in such Valuation, in case of any Change of Abode or Possession, or of any Error or Omission of the Name of such Lessor or Occupier.

“29. And be it enacted, That so much of the said Act passed in the Session of Parliament held in the First and Second Years of the Reign of Her Majesty Queen *Victoria*, and so much of the said Act passed in the Second Year of Her said Majesty, and so much of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her said Majesty, intituled *An Act for the further Amendment of an Act for the more effectual Relief of the destitute Poor in Ireland*, as may authorize any Justices or Assistant Barrister or Recorder, on Appeal being made to them at Quarter Sessions, to amend, alter, or quash any Rate, on account of the net annual Value assigned therein to any Tenement^b, shall not extend or apply to any Rate for the Relief of the destitute Poor made and assessed on such Tenement, in conformity with the Valuation thereof signed by the Commissioner of Valuation as aforesaid.

“30. And for the Purpose of the Poor Law Assessment, and to provide for the necessary Alteration and Revision of the said net Tenement Valuation from Time to Time, in the Cases of those Tenements the Limits whereof shall become altered, or whereof the Value shall be changed by any Building being erected thereon or thrown down or destroyed, as the Case may be, be it enacted, That within Ten Days after the First Day of *February* in each Year after the Completion of any such Valuation, every Collector of Poor Rates within the said Union shall lay before the Board of Guardians of the Union for which he is a Collector, a List of all the Tenements situate within every Townland in the said Union which is within his District, the Value of which Tene-

9 & 10 Vic.
c. 110,
TENEMENT
VALUATION
ACT,
1846.

Rates to be
assessed ac-
cording to
such Valua-
tion.

Poor Rates
assessed on
Valuation
made under
this Act, not
to be altered
or quashed
on account of
Value, on
Appeal under
Irish Poor
Relief Acts.

Provision for
Revision of
Valuation on
account of
Changes in
tenements:

Collectors to
make annual
lists of tene-
ments in
which
changes have
taken place;

^a Page 364.

^b 1 & 2 Vic. c. 56, § 107, 108 (p. 84-5); and 6 & 7 Vic. c. 92, § 7 (p. 113).

9 & 10 Vic.
c. 110,
TENEMENT
VALUATION
ACT,
1846.

and Clerk to
forward a
general list
for Union,
to Valuation
Commission-
er, with
opinion of
Guardians.

Provision as
to Boroughs,
&c.

Commission-
er of Valua-
tion to cause
a Revision to
be made of
Tenement
Valuation,
where neces-
sary.

9 G. 4, c. 84.

Appeal may

ments shall require Revision for any of the Reasons aforesaid; and the Clerk of the Union shall prepare from the said Lists a full and complete List of all such Tenements, and shall transmit the same, within Twenty Days from such First Day of *February*, to the Commissioner of Valuation, with the Opinion of the said Board of Guardians whether a Revision is necessary on account of such Changes or Alterations; and in Cities, Boroughs, or Towns in which the Provisions of the said Acts of the Ninth Year of the Reign of King *George* the Fourth^a, and of the Fourth Year of the Reign of Her present Majesty^b, or either of them, or any local Act empowering Trustees or any other local Body to make local Assessments, shall be in force, the Collector of Poor Rate and the Collector of Borough Rate or Town Rate respectively shall prepare a like List of Alterations of Tenements as aforesaid, and shall deliver the same to the Town Clerk of the Borough or of the Town Council, to be laid before the Town Council, who, if they shall think fit so to do, shall forward the same to the Commissioner of Valuation.

“31. And be it enacted, That after the Receipt of the said List, whether from the Clerk of the Board of Guardians or the Clerk of the Town Council, and within such reasonable Time thereafter as shall be convenient and suitable, the said Commissioner of Valuation shall, if he shall think fit, authorize the Board of Guardians or the Town Council, as the Case may be, to appoint a fit and proper Person to revise the Tenements so requiring Revision, or the said Commissioner of Valuation shall himself cause a Revision to be made of the net annual Value of the Tenements in the several Townlands and Parishes of the said County, the Limits or Value whereof shall have been altered as aforesaid, whether such Tenements so altered in Limits or Value shall have been included in the said Lists or not; and so soon as the said Revision shall have been made, shall make out and prepare a List of the Tenements so revised as aforesaid, and shall sign the same, and shall transmit a List of such Tenements therein as are rateable to the Poor Rates of any Union, to the Guardians of the said Union, in the Form (C) to this Act annexed^c; and shall also make and transmit to the Town Council or Commissioners appointed under the said Act of the Ninth Year of his late Majesty King *George* the Fourth a separate Valuation of any such Property or Dwelling Houses as he is herein-before required to value separately, and which shall not have been previously so valued by him as herein-before directed, or which having been previously so valued by him shall require further Valuation for either of the Causes aforesaid.

“32. And be it enacted, That any Person aggrieved

^a 9 Geo. 4, c. 81, and list of towns, p. 407-8.

^b 3 & 4 Vic. c. 103 (p. 412).

^c Page 364.

by the Valuation of any Tenement contained in the said Lists of revised Tenements shall have the like Power and Right of Appeal to the Sessions of the Peace as is hereinbefore given to any Person aggrieved by the Valuation of any Tenement contained in the said Lists of Tenements in Form (C) to this Act annexed, subject to the same Conditions, and to be exercised in the same Manner and to the same Extent, as the said Power and Right of Appeal in the Case last mentioned.

“33. And be it enacted, That in any Rate to be made after Thirty Days from the Receipt of the said finally revised Lists of Tenements by the Board of Guardians of any Union or Town Council, the Tenements included in the said Lists shall be rated according to the Value thereof as set forth in the said List, in place of that specified in such first Lists.”

Sections 34 to 38 relate to the Applotment of County Cess upon the Tenement Valuation made as above directed: and § 39 directs that in addition to the Tenement Valuation according to the net annual Value, an Additional Valuation for the purposes of County Assessment shall be made with reference to the average Prices of the several articles of Agricultural Produce set forth in the General Valuation Act, 6 & 7 Wm. 4, c. 84. Sections 40 to 71 relate to the Valuation for the purposes of County Assessments, Committees of Revision, and Appeal, &c.

“72. And for the Purpose of providing for the necessary Revision of the Valuations made under the Provisions of this Act in consequence of Changes that may have taken place in the gross Amount of the Value of the several Townlands^a, be it enacted, That at or after the Termination of Fourteen Years from the Period of the meeting of the Committee of Revision of any County or of the Committee of Appeal for any County of a City or County of a Town, with reference to the Valuation under this Act or any former Act or Acts for the uniform Valuation of Lands and Tenements in Ireland, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland, if he shall think fit so to do, to direct the Commissioner of Valuation to commence a new Valuation of any County, County of a City, or County of a Town in Ireland; and shall cause Notice to be given to the Grand Jury of such County, County of a City, or County of a Town, previous to such Direction, by Letter from the Chief Secretary of the Lord Lieutenant addressed to the Secretary of the Grand Jury of such County, County of a City, or County of a Town; and

9 & 10 Vic.
c. 110,
TENEMENT
VALUATION
ACT,
1846.

be made to
Quarter Ses-
sions against
revised Va-
luation of
Tenements.
Rates after
Revision of
Valuation to
be made ac-
cordingly.

New Valua-
tion may be
directed by
Lord Lieute-
nant after 14
years from
previous Va-
luation.

^a The provisions of this section for the revision of the Valuation, are superseded by the act of 1852. All future revisions or new Valuations are to be conducted under the latter act, 15 & 16 Vic. c. 63, § 3 (p. 365); and see § 29, 30, 31 of that act.

9 & 10 Vic.
c. 110,
TENEMENT
VALUATION
ACT,
1846.

also cause Notice to be given to the Clerk of the Boards of Guardians of the several Unions or Parts of Unions contained within such County: and the said Commissioner shall proceed therein as in the first Valuation of the said County made under the Provisions of this Act; and the Grand Jury of the said County, County of a City or County of a Town, and all Officers thereof, and every Public Officer or other Person duly authorized, shall perform all Acts required to be done by them or him, in the same Manner and within the same Periods as herein-before is provided for the first Valuation of the said County, County of a City, or County of a Town, and shall have the same Powers, Privileges, and Immunities, in the Performance of their respective Duties: and the said new Valuation, when completed, shall have the same Effect and Operation, to all Intents and Purposes, as the former Valuation, and shall supersede the same; and that which is hereby enacted in relation to such first Valuation shall apply in due Course, and under the same Circumstances and Conditions, to such new Valuation as aforesaid.

Counties valued under former Acts may be re-valued under this Act, by direction of Lord Lieutenant on application of Grand Jury.

“73. And be it enacted, That on the Application of the Grand Jury of any County which has been valued under the Provisions of any former Acts or Act for the uniform Valuation of Lands and Tenements in Ireland, it shall be lawful for the Lord Lieutenant to direct the Commissioner of Valuation to value such County again, in conformity with the Provisions of this Act^a; and thereupon the Provisions of this Act shall apply to such County in like Manner as to any County herein-before specified which has not been valued by the said Commissioner of Valuation before the passing of this Act.”

The remaining sections of the Act contain provisions for the Payment of Expenses, and Salaries of Officers, Penalties, &c.

FORMS in SCHEDULES referred to in foregoing Act.

FORM A^b.

PRIMARY VALUATION OF TENEMENTS^c.

FORM B^d.

VALUATION OF TENEMENTS rateable to POOR RATES^e.

FORM C^e.

REVISED VALUATION OF TENEMENTS rateable to POOR RATES^e.

^a Similar provision in § 11, for directing a Tenement Valuation to be made for Cities and Towns, on application of the Town Council (p. 356).

^b § 16 (p. 357).

^c This act being superseded by that of 1852, 15 & 16 Vic. c. 63, it is unnecessary now to insert the three forms of which the titles are here given. The forms prescribed by the latter act will be found appended to it herein (p. 386-7.) ^d § 27 (p. 361). ^e § 31 (p. 362).

15 & 16 VICT. CAP. 63.

15 & 16 Vic.

An Act to amend the Laws relating to the Valuation of
rateable Property in *Ireland*.

[*Passed, 30th June 1852.*]

c. 63,
GENERAL
TENEMENT
VALUATION
ACT,
1852.

WHEREAS it is expedient to make One uniform Valuation of Lands and Tenements in *Ireland*, which may be used for all public and local Assessments and other Rating; and for this Purpose it is necessary to amend the Laws now in force for the Valuation of Lands and Tenements in *Ireland*: And whereas an Act was passed in the Session of Parliament holden in the Ninth and Tenth Years of Her present Majesty's Reign, Chapter One hundred and ten, intituled *An Act to amend the Law relating to the Valuation of rateable Property in Ireland*: And whereas, under the Provisions of the said Act, the Tenement Valuations of certain Counties have been made and completed for Poor Law Purposes^a: Be it enacted by, &c.,

9 & 10 Vic.
c. 110, 1846,
(p. 355.)

1. That the Tenement Valuation for Poor Law Purposes so made and completed^a in or for any County or Barony, County of a City or County of a Town, under the Provisions of the said Act, shall, anything in the said Act to the contrary notwithstanding, be in force and be used, as well for the Purposes of all County Assessments or Grand Jury Rates, or City, Town, or Parish Rates, as for the Purposes of Poor Law Assessments or Rates, but subject nevertheless to such Correction and Revision as by this Act is herein-after provided.

Tenement
Valuation
under act of
1846, where
completed, to
be used for
County and
Poor Rates,
&c., subject
to Revision
under this
Act.

2. And whereas in certain Baronies and Poor Law Unions, such Valuation under the Provisions of the said recited Act has been only partially made, and the primary Tenement Valuation thereof has been only so far carried on before the passing of this Act as to be printed or ready for printing: Be it enacted, That the Commissioner of Valuation shall carry on and complete, under and pursuant to the Provisions of the said recited Act, the Tenement Valuation of all Baronies or Poor Law Unions the primary Tenement Valuation of which shall have been, under the Provisions of the said Act, printed, or completed so as to be ready for printing, previous to the passing of this Act: Provided always, that such Commissioner shall not make any separate Valuation in Townlands for the Purpose of County Assessments, as by the said recited Act was directed: And provided also, that such Tenement Valuations, when completed, shall, subject to such Correction and Revision as by this Act is herein-after provided, be used and be in force, as well for all County Assessments or Grand Jury Rates, or City, Town, or Parish Rates, as for Poor Law Assessments and Rates, anything in the said recited Act to the contrary notwithstanding.

Tenement
Valuation
under act of
1846, where
partially
completed,
but not
wholly, to be
completed
under that
act; but
without
separate
Townland
Valuation.

3. And, save and except so far as relates to such Valuations so wholly or partially completed as aforesaid, and

Repeal of
Act of 1846,

^a See statement of progress in the Valuations under the several acts, in p. 353-355.

15 & 16 Vic.
c. 63.

except as to
completion
of unfinished
Valuations;

and Valua-
tions already
made, to re-
main in force
until altered
or revised
under this
Act.

Where
Tenement
Valuation
already
completed,
Alterations
to be made so
as to bring it
to a uniform
Scale, under
this Act.

Valuation
Officers con-
tinued in dis-
charge of
their Duties.

Appoint-
ment of Va-
luation Com-
missioner on
occurrence of
a Vacancy.

to the Provisions of the said Act applicable or necessary for the final Completion of such of the said Valuations as shall have been only so partially completed as aforesaid, and the several Matters and Things relating to such Completion, and save and except as to any Matter or Thing heretofore done, the said recited Act of the Ninth and Tenth Years of the Reign of Her present Majesty^a shall be and is hereby repealed: Provided always, that any Valuation made under the said recited Act^a, or under the Act of the Sixth and Seventh Years of His late Majesty King *William* the Fourth, Chapter Eighty-four^b, relating to the uniform Valuation of *Ireland*, shall respectively remain in full Force and Effect, in Manner aforesaid, until altered or revised under the Provisions of this Act, notwithstanding any Omission or Error in Matter of Form which may have occurred in relation thereto.

4. In any of the Counties, Portions of Counties, Counties of Cities, or Counties of Towns, wherein a Valuation in Tenements rateable to the Relief of the Poor has been completed as aforesaid, or shall be carried on or completed as hereinbefore provided, according to the Provisions of the said recited Act of the Ninth and Tenth Years of the Reign of Her present Majesty^a, it shall be lawful for the Commissioner of Valuation to make such Reductions and Alterations in the Valuation of the several Baronies, Parishes, Townlands, and Tenements which have been so valued, as may be necessary to bring the whole to a uniform Scale of Value, based upon the Table of Prices of Agricultural Produce contained in this Act^c, all local Circumstances in each Case being taken into Consideration, and subject to the same Rules and Regulations in respect to Appeals as herein-after specified.

5. The Commissioner of Valuation and other Persons heretofore appointed or acting under the said recited Acts or any of them, in any County, shall, and he and they are hereby authorized and required, notwithstanding the passing of this Act, to continue to discharge and execute their several Duties and Offices, for the Purpose of carrying this Act into execution, without any further or other Appointment thereto, until the Lord Lieutenant of *Ireland* shall otherwise direct.

6. Upon the Death, Resignation, or Removal of such Commissioner of Valuation, or any other Commissioner of Valuation hereafter to be appointed under this Act, it shall and may be lawful for the Lord Lieutenant from Time to Time to nominate and appoint One fit and proper Person to be Commissioner for the several Counties in *Ireland*, to be called the Commissioner of Valuation, who shall hold such Office during the Will and Pleasure of the Lord Lieutenant, and who shall make or cause to be made a Valuation of the Tenements and Hereditaments within every Barony, Parish, or other Division in

^a 9 & 10 Vic. c. 110, Tenement Valuation Act of 1846 (p. 355).

^b General Valuation Act, 6 & 7 Wm. 4, c. 84.

^c § 11 (p. 368).

any County, when directed so to do, and shall proceed in such Valuation at such Times, and in such Manner, and under such Regulations, as such Lord Lieutenant shall order, direct, and appoint.

7. It shall be lawful for any Commissioner of Valuation who shall be continued or appointed under this Act to nominate and appoint from Time to Time any Number of Writing Clerks and Surveyors, or any Number of Persons conversant and professionally employed in surveying and valuing Land and Houses, or, in Cases of Towns, in valuing of Houses only, to be Valuators, and to remove all or any such Persons from Time to Time, and to nominate any other Person or Persons to act in the Place and Stead of the Person so removed.

8. It shall be lawful for the Lord Lieutenant to give such Orders, Instructions, and Directions for the Conduct of the said Commissioner or Sub-Commissioners, Valuators, and Surveyors respectively, and for such Clerks or other Persons, in the Discharge of their several Duties under this Act, as to such Lord Lieutenant shall from Time to Time seem fitting and expedient for the due Execution of this Act.

9. It shall be lawful for the Lord Lieutenant to direct the said Commissioner of Valuation to cause a Valuation in Townlands and Tenements to be made under this Act, of every County, Part of a County, County of a City, or County of a Town, the Tenement Valuation of which shall not have been then commenced, or not so far completed under the said recited Act as that the primary Tenement Valuation thereof shall have been printed, or ready for printing, before the passing of this Act.

10. It shall and may be lawful for any Commissioner of Valuation to be appointed or continued under this Act, and for any Valuators, Surveyors, or other Persons continued or appointed under this Act, from Time to Time to enter into and upon any Tenements or Hereditaments, for the Purpose of making or carrying on any Valuation or Revision authorized by this Act: Provided always, that in every Case in which it shall be necessary for any such Commissioner, Valuator, Surveyor, or other Person, to enter any House, or any walled Garden, or Orchard, or Pleasure Ground, and when the Owner or Occupier thereof shall oppose or refuse to allow such Entry, such Commissioner, Valuator, Surveyor, or other Person shall give Three Days' Notice to the Owner or Occupier of such House, Garden, Orchard, or Pleasure Ground, requiring to be permitted to enter the same; and at any reasonable Time after the Delivery^a of such Notice, it shall be lawful

15 & 16 VIC.
c. 63,
GENERAL
TENEMENT
VALUATION
ACT,
1852.

Valuation
Commissioner
to appoint
Officers;

and may re-
move them,
and nominate
others.

Lord Lieuten-
ant may is-
sue Instruc-
tions for
guidance of
Commis-
sioner, &c.

Lord Lieuten-
ant may
direct that
a Valuation
under this
Act be made,
of Counties,
&c. not
hitherto
valued.

Valuation
Officers may
enter Pre-
mises for the
purposes of
this Act:

Provision
where entry
into Houses,
&c. is object-
ed to.

^a "At any reasonable time after the *delivery* of such notice." The previous part of the clause requires that "*three days'* notice" should be given. It may be held that the three days at least should be allowed to elapse before the penalty enacted in § 41 against any person who "shall wilfully obstruct, hinder, or prevent any person acting in execution of this act" should be enforced as provided in § 42 (p. 381), in case it be necessary to resort to these provisions.

15 & 16 VIC.
c. 63,
GENERAL
TENEMENT
VALUATION
ACT,
1852.

Tenements
to be valued
separately;
Land to be
valued upon
an Estimate
of the net
annual Value
with refer-
ence to Scale
of Prices of
agricultural
Produce
herein speci-
fied;

to make such Entry, such Commissioner, Valuators, Surveyors, or other Persons doing as little Damage as may be in the Execution of the Powers to them granted by this Act, and making reasonable Satisfaction (if required) to the Owners of and other Persons interested in any such Tenements or Hereditaments, Gardens, Orchards, or Pleasure Grounds, which shall or may be in any way hurt or damaged in or by the Execution of any of the Powers of this Act; and this Act shall be sufficient to indemnify such Commissioner, Valuators, Surveyors, or other Persons, and all Persons acting in aid or under the Orders of any of them, in the Execution of this Act.

11. In every Valuation hereafter to be made, or to be carried on or completed under the Provisions of this Act, the Commissioner of Valuation shall cause every Tenement or Rateable Hereditament herein-after specified^a to be separately valued: and such Valuation in regard to the Land shall be made upon an Estimate of the net annual Value thereof with reference to the average Prices of the several Articles of agricultural Produce herein-after specified, all peculiar local Circumstances in each Case being taken into consideration, and all Rates, Taxes, and public Charges, if any. (except Tithe Rentcharge,) being paid by the Tenant; (that is to say,)

Wheat at the general average Price of Seven Shillings and Sixpence *per* Hundredweight of One hundred and twelve Pounds:

Oats at the general average Price of Four Shillings and Tenpence *per* Hundredweight of One Hundred and twelve Pounds:

Barley at the general average Price of Five Shillings and Sixpence *per* Hundredweight of One hundred and twelve Pounds:

Flax at the general average Price of Forty-nine Shillings *per* Hundredweight of One hundred and twelve Pounds:

Butter at the general average Price of Sixty-five Shillings and Fourpence *per* Hundredweight of One hundred and twelve Pounds:

Beef at the general average Price of Thirty-five Shillings and Sixpence *per* Hundredweight of One hundred and twelve Pounds:

Mutton at the general average Price of Forty-one Shillings *per* Hundredweight of One hundred and twelve Pounds:

Pork at the general average Price of Thirty-two Shillings *per* Hundredweight of one hundred and twelve Pounds:

Houses and
Buildings
to be valued
according to
net annual
Value, as
defined.

And such Valuation in regard to Houses and Buildings shall be made^b upon an Estimate of the net annual Value thereof; that is to say, the Rent for which, One Year with

^a § 12.

^b The terms of this clause, in regard to Houses and Buildings, are to the same effect as those in § 64 of the Irish Poor Relief Act, (p. 49).

another, the same might in its^a actual State be reasonably expected to let from Year to Year, the probable average annual Cost of Repairs, Insurance, and other Expenses (if any) necessary to maintain the Hereditament in its actual State. and all Rates, Taxes, and public Charges if any, (except Tithe Rentcharge,) being paid by the Tenant.

12. For the Purposes of this Act, the following Hereditaments shall be deemed to be the rateable Hereditaments; *viz.*, all Lands, Buildings, and open Mines; all Commons and Rights of Common, and all other Profits to be had or received or taken out of any Land; and in the Case of Land or Buildings used exclusively for public, scientific, or charitable Purposes, as herein-after specified^b, Half the annual Rent derived by the Owner or other Person interested in the same, so far as the same can or may be ascertained by the said Commissioner of Valuation; and all Rights of Fishery; all Canals, Navigations, and Rights of Navigation; all Railways and Tramroads; all Rights of Way and other Rights or Easements over Land, and the Tolls levied in respect of such Rights and Easements, and all other Tolls^c: Provided always, that no Turf Bog or Turf Bank used for the exclusive Purpose of cutting or saving Turf, or for making Turf Mould therefrom, for Fuel or Manure, shall be deemed rateable under this Act, unless a Rent or other valuable Consideration shall be payable for the same: And provided also, that no Mines which have not been opened Seven Years before the passing of this Act shall be deemed rateable until the Term of Seven Years from the Time of opening thereof shall have expired; and no Mines hereafter to be opened shall be deemed rateable until Seven Years after the same shall have been opened; and Mines *bonâ fide* re-opened after the same shall have been *bonâ fide* abandoned shall be deemed an Opening of Mines within the Meaning of this Act^c.

13. For the Purposes of such Valuation, all Mills and Buildings erected for manufacturing or other Purposes, together with the Water Power thereof, shall be included in such Valuation, provided that the Water Power of any Mill or Manufactory be only valued so far as it may be actually used, and that such Valuation shall not extend to or include the Value of any Machinery contained within such Mill or Manufactory.

14. No Hereditament or Tenement shall be liable to be rated in respect of any Increase in the Value thereof arising from any Drainage, Reclamation, or Embankment from the Sea or any Lake or River, or any Erection of Farm, Outhouse, or Office Buildings, or any permanent agricultural Improvement as specified under the Provisions of an Act passed in the Session of Parliament held in the Tenth and Eleventh Years of the Reign of Her pre-

15 & 16 Vic.
c. 63,
GENERAL
TENEMENT
VALUATION
ACT,
1852.

Rateable
Heredita-
ments:
Lands;
Buildings;
Mines;
Commons,
and profits
from Land;
Half-rent of
public build-
ings, &c.;
Fisheries;
Canals, &c.;
Railways,
&c.; Tolls:—
Exemptions;
as to Turf-
Bog,
as to Mines.

Mills and
Manufacto-
ries, with
their effec-
tive Water
Power, to be
valued;
but not Ma-
chinery.

Valuation
not to be in-
creased on
account of
specified Im-
provements,
within seven
years there-
after.

^a Sic. Their?

^b § 15.

^c See exemption of Light-houses, Light-house Tolls or Dues, &c., under § 22 of 16 & 17 Vic. c. 131, Merchant Shipping Act, 1854, (p. 331).

15 & 16 VIC.
c. 63,
GENERAL
TENEMENT
VALUATION
ACT,
1852.

Tenements
of a public
nature, or
used for
charitable or
scientific
purposes,
&c., and
exempted
from Rates,
to be distin-
guished, and
deducted in
Valuation ;

But half of
any Rent
derivable
therefrom to
be included
in Valuation.

Such Tene-
ments to be
exempted,
only where
used alto-
gether and
exclusively
for purposes
specified :

Appeal.

sent Majesty, Chapter Thirty-two, Section Four^a, made or executed thereon within Seven Years next before the making of such Valuation or Revision.

‘ 15^b. In making out the Lists or Tables of Valuation herein-after mentioned, the Commissioner of Valuation shall distinguish all Hereditaments and Tenements, or Portions of the same, of a public Nature, or used for charitable Purposes, or for the Purposes of Science, Literature, and Fine Arts, as specified in an Act of the Sixth and Seventh Years of the Reign of Her present Majesty, Chapter Thirty-six^c; and the Value of the same shall be deducted from the gross Amount of the Valuation of the Hereditaments and Tenements comprised in each such List or Table; and all such Hereditaments or Tenements, or Portions of the same, so distinguished and deducted, shall for the Purposes of this Act be deemed exempt from all Assessment whatsoever so long as they shall continue to be of a public Nature, or used for the Purposes aforesaid: and the Lists, Tables, or Valuations, subject to such Deduction, shall be deemed to be the Lists, Tables, or Valuations whereby all public or local Assessments shall be levied as herein-after provided: Provided always, that Half the annual Rent derived by the Owner or other Person interested in any Tenements or Hereditaments so exempted shall be included in such Lists or Tables, so far as the same can or may be ascertained by the said Commissioner of Valuation^b.’

16. For the Purposes of such Valuation, no Hereditaments or Tenements, or Portions of the same, shall be deemed to be of a public Nature, or used for such charitable, scientific, or other Purposes as herein-before specified, within the Meaning of this Act, unless such Hereditaments or Tenements, or Portions of the same respectively, shall be altogether of a public Nature, or used exclusively for such charitable, scientific, or other Purposes aforesaid; and the Valuations or Exemptions in such Cases shall be

^a The following are the terms of § 4 of the Land Improvement Act of 1847 (10 Vic. c. 32), here referred to:—

“ § 4. And be it enacted, that it shall be lawful for the said Commissioners of Public Works, upon Application made to them under the Provisions of this Act, and subject to such Rules and Regulations as may from time to time be made by the Commissioners of Her Majesty’s Treasury, to make Loans under this Act for the following Purposes: that is to say, for the Drainage of any Lands by any such Means as the said Commissioners shall approve, for subsoiling, trenching or otherwise deepening and improving the soil, for Irrigation or warping of Land, for embanking Lands from the Sea or Tidal Waters or Rivers, for enclosing or fencing any Land, or improving the Fences, Drains, Streams, or Water-courses of any Land, for the Reclamation of Waste or other Land for making Farm Roads, or for clearing Lands of Rocks and Stones.”

^b This section (15) is repealed, and other provision made in lieu thereof, by the act of 1854, 17 Vic. c. 8 (p. 390).

^c 6 & 7 Vic. c. 36 (p. 327).

subject to such and the like Appeals against the same as are herein-after provided as to Valuations in other Cases. 15 & 16 Vic. c. 63.

17. When and so soon as the Valuation or Revision of Valuation of all the Hereditaments and Tenements within any County, Barony, or Poor Law Union, County of a City, County of a Town, shall be completed, the Commissioner of Valuation shall prepare and make out a List or Table of the several Hereditaments and Tenements contained in each Townland or other Denomination therein, and of their respective Valuations, signed by him the Commissioner of Valuation; and the said Commissioner of Valuation shall transmit a sufficient Number of printed or written Copies of such Lists, so signed by him in the Form set forth in the Schedule annexed to this Act^a,— to the Treasurer of the County, and to the Clerk of the Board of Guardians of each Union in which the Hereditaments and Tenements contained in such Schedule are situate, and to the Town Council of any City, Borough, or Town interested therein.

Lists of Tenements and Valuation, when complete, to be sent to County Treasurer, Clerks of Unions, &c.:

Form.

18. Every Clerk of any Board of Guardians to whom Copies of any such Lists shall be transmitted as aforesaid, shall, within Three Days after the Receipt of such Lists, cause to be affixed a Notice on the principal outer Door or Gate Pier of the Church, and of any one Roman Catholic Chapel, and of any one Presbyterian Meeting House, if any, within every Parish or Part of a Parish (included in the Union) in which any Hereditaments or Tenements contained in such List are situate, stating the Time at which said Lists were so transmitted, and the Time and Place at which said Lists may be inspected; and shall, at all reasonable Hours on every Day, from and after the Receipt of said Lists, for Twenty-one Days then next ensuing, leave open for public Inspection at the Workhouse of the Union, and at the Station of each Party of Constabulary, if any, situate within any such Parish, Copies of the said Lists, and shall permit Extracts to be taken therefrom at all reasonable Times as aforesaid: Provided always, that in all Cases in which no Clerk shall have been appointed to the Board of Guardians of any Union, it shall be lawful for the Commissioners for administering the Laws for the Relief of the Poor in Ireland to appoint a Person to act in his Stead.

Clerk of Union to issue Notices, of time and place where such Lists may be inspected, &c.:

and to leave Copies of Valuation Lists for inspection at certain places, and permit Extracts to be taken:

If no Clerk, Poor Law Commissioners may appoint.

19. Within Twenty-eight Days from and after the Receipt of the said Lists by the Clerk of any Union as aforesaid^b, any Person aggrieved by reason of the Valuation of any Tenement or rateable Hereditament, or by reason of any inaccurate Statement of Area or inaccurate Description of any Tenement or rateable Hereditament, contained in such Lists, or any other Cause whatsoever, shall send by Post or deliver to the Clerk of the Board of Guardians of the Union in which such Hereditament or Tenement is situate a Notice in Writing, duly signed by him the said

Any Person aggrieved by Valuation may send Notice of grounds to Clerk of Union; who is to forward same to Valuation Commissioner.

^a No. 1, (p. 386.)

^b § 18.

15 & 16 Vic.
c. 63.

Valuation
Commis-
sioner to
inquire into
objections;
and may alter
and amend
Valuation.

Person aggrieved, or by his known Agent, setting forth the Grounds of such Grievance; and the said Clerk of the Board of Guardians shall forthwith forward said Notice to the Commissioners of Valuation at the Office in Dublin of the General Valuation of Ireland.

20. The said Commissioner of Valuation shall, on Receipt of every such Notice as aforesaid, inquire into the Subject Matter thereof, and, if necessary, direct a Valuator or Surveyor, as the Case may require, who shall not have been previously employed in making the original Valuation contained in the Lists as aforesaid, to view such Hereditament or Tenement and investigate the Complaint stated in such Notice, and report thereon to the said Commissioner of Valuation: and should it appear to him, the said Commissioner of Valuation, from such Report, that the Valuation or Statement of the Area of the Tenement or rateable Hereditament referred to in any of such Notices requires Amendment, the Commissioner of Valuation shall have Power to alter and amend the Valuation or Statement of the Area of the Tenement or rateable Hereditament so appealed against, and also to alter and amend the Valuation or Statement of the Area of any other Tenement or Hereditament against which there shall have been no Appeal, but which may appear to him to be similarly circumstanced with those respecting which Appeals have been made, in order to render the Valuation of every Tenement or Hereditament comprised in such List proportionate and uniform.

Statement of
alterations or
refusals of
alteration of
original
Valuation to
be furnished
by Valuation
Commis-
sioner, and
published by
Clerk of
Union.

21. The Commissioner of Valuation shall make out and sign, in the Form in the Schedule annexed to this Act^a, a Statement of all Cases in every Townland or other Denomination in which he shall have so altered or refused to alter the Valuation or Statement of the Area of any Tenement or Hereditament, or otherwise amended the same as aforesaid; and shall transmit such List, so signed, to the Clerk of the Board of Guardians of the Union in which such Tenements are situate, who shall, within Three Days after the Receipt of said Lists, make the same public, by Notices, in the same Manner as herein-before provided as to the Publication of the primary Valuation of Tenements^b.

Appeal to
Quarter Ses-
sions against
Valuation:

Notice of
Appeal, and
Proceedings
thereon:

22. At any Time within Twenty-one Days after the Receipt of the said last-mentioned Lists, in the Form as aforesaid, by the Clerk of the Board of Guardians, any Person aggrieved by the Valuation of any Tenement or Tenements contained in said List, and desiring to appeal therefrom, shall send or deliver to the Clerk of the Board of Guardians a Notice in Writing, duly signed by him the said Person aggrieved, or by his known Agent, of his Intention to appeal to the next General or Quarter Sessions of the Peace for the Division of the County, or for the County of a City or County of a Town, in which said

Tenement or rateable Hereditament may be situate, stating the Ground of such Appeal; but in case the next General or Quarter Sessions as aforesaid shall commence within Forty Days after the Receipt of the said last-mentioned Lists as aforesaid by the Clerk of the Board of Guardians, such Appeals shall be made to the succeeding General or Quarter Sessions as aforesaid; and the said Clerk of the Board of Guardians of the Union in which such Property is situate shall forthwith forward the said Notice to the Commissioner of Valuation, who shall be the Respondent in the said Appeal; and the Clerk of the Board of Guardians shall cause a List of all such Notices of Appeal, with the Names of the Appellants and of the Lands which are the Subject of Appeal, to remain open for Inspection at the Workhouse of the Union; and if the Cause of Appeal shall be such as to require Alteration to be made in the Valuation of any Tenement for which any other Person or Persons is or are liable to be rated, the Appellant shall give like Notice to such other Person or Persons, who shall, if he or they so desire, be heard upon such Appeal, and within Five Days after Notice given of any such Appeal the Person appealing shall enter into a Recognizance in the Sum of Five Pounds before some Justice of the Peace, with sufficient Securities, conditioned to try such Appeal at the General or Quarter Sessions of the Peace for which such Notice shall have been given, and to abide the Order of and to pay such Costs as shall be awarded by the Court at such Sessions; and within Three Days after such Recognizance shall have been entered into, the Magistrate before whom such Recognizance shall have been entered, or Clerk of the Petty Sessions, shall send the same by Post, or shall forward the same to the Office of the Clerk of the Peace for the respective County or Place, there to remain of Record, and open for public Inspection, without Payment of any Fees.

23. The Court before which any such Appeal shall be brought as aforesaid is hereby empowered and required to hear and determine the Matter of such Appeal as stated in such Notice of Appeal, but not any other Cause or Matter of Appeal; and to hear all Parties who may be, directly or indirectly, interested in the Cause of such Appeal, and to make such Order therein as to such Court shall seem fit, and to award such Costs to the Party appealing or appealed against, or to any other Party who shall be brought before the said Court on the Hearing of such Appeal, whether the Appellant shall prosecute such Appeal or not, or shall appear at the Hearing or not, as the said Court shall think proper: and upon the Hearing of any such Appeal, the said last-mentioned Lists of Valuation, signed by the Commissioner of Valuation, shall be deemed to be *prima facie* Evidence of the Correctness of the Valuations contained therein, till the contrary be shown to the Court; and the Determination of the said Court in or concerning the Premises shall be conclusive

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Notice to be
forwarded
by Clerk to
Valuation
Commis-
sioner.

List of Ap-
peals to be
made by
Clerk and
remain open
at Work-
house.

Notices to
parties
interested.

Appellants
to enter into
Recognizances.

Proceeding
of Quarter
Sessions on
such Appeal:

Costs;

Decision of
Quarter Ses-
sions final.

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Costs, if
awarded
against
Valuation
Commis-
sioner.

Guardians to
pay necessary
Expenses of
Clerk of
Union.

Valuation
Commis-
sioner to
cause final
Valuation to
be sent to
Clerks of
Unions,
Treasurers
of Counties,
&c.

County
Treasurer
to strike out
£5 Tene-
ments for
purposes
of County
assessments.

County Rates
to be levied
according
to such
Valuation.

and binding on all Parties, to all Intents and Purposes whatsoever^a: Provided always, that if the Costs of such Appeal shall be awarded against the Commissioner of Valuation, such Costs, when paid by such Commissioner, together with the necessary Costs incurred by such Commissioner in defending such Appeal, shall be deemed to be and charged as Part of the Expenses of the Valuation^b.

24. The Guardians of the Poor of the Union shall, out of any Funds under their Control, pay to the Clerk of the Guardians, or other person appointed in his Stead, the reasonable Expenses which he shall have incurred in the Execution of this Act.

25. As soon as the Valuation of any Poor Law Union, or of any County, or Barony of any County, shall have been finally completed as herein-before provided, and, if appealed against, such Appeal shall have been determined as aforesaid, the Commissioner of Valuation shall cause a final List to be made in the Form set forth in the Schedule annexed to this Act^c of all the Tenements or rateable Hereditaments comprised within the several Townlands and Parishes within such County, Barony, or Poor Law Union; and Copies of the same to be transmitted to the Clerk of the Board of Guardians of such Union, and to the Town Council of any City, Town, or Borough, affected by such Valuation, and to the Treasurer of the County in which such Barony may be situate, signed by the said Commissioner of Valuation; and 'on the Receipt by the 'Treasurer of any County of such final Lists of any 'Barony, or of the whole Number of Baronies in such 'County, such Treasurer shall strike out from the Columns 'in such final Lists relating to Buildings the Valuations 'of each and every House in each Tenement and Town- 'land, the net annual Value of which House, as therein 'stated, shall not exceed Five Pounds, and shall deduct 'the Sum of such Valuations of Houses valued under 'Five Pounds, and so struck out, from the total Amount 'of the Valuation of such respective Tenement and Town- 'land; and the Valuation of each Tenement and Town- 'land, after such Deduction, shall be deemed to be the 'Value thereof for the Purposes of County Assessments.'

26. From and after the Commencement of the Summer Assizes^e next ensuing the Day on which such final Lists of the Valuation of any County shall be received by the Treasurer of such County, all County or Grand Jury Rates and Assessments then and thereafter made, presented, or ordered in or for such County, or any Townland therein, shall be levied within the respective Townlands or Town-

^a But after a poor rate is made, it cannot be quashed or altered on the ground of the value assigned in such valuation: § 28 (p. 375).

^b As to expenses of Valuation, ultimately payable by the Counties, see § 39 (p. 380).

^c No. 3, (p. 386.)

^d The remainder of this section (25) is repealed, and other provision made in lieu of it, by the act of 1854, 17 Vic. c. 8 (p. 390).

^e See 17 Vic. c. 2, § 3 (p. 391).

land, as the Case may be, and on such Tenements and Hereditaments therein, according to the Valuations contained in such final Lists, and upon no other, until the same shall be revised in the Manner herein-after mentioned^a: Provided always, that the Adoption of such Valuation for Grand Jury Assessment in any Barony shall not alter or affect the Proportion of County Cess or Charges which by any Law or Usage may have been borne by any such Barony, as compared with any other Barony or Baronies within the same County, until the Valuation of the entire County shall have been completed: Provided also, that nothing herein contained shall be construed to prevent the Treasurer of any County from altering the Name of any Occupier in such Valuation in case of any Change of Abode or Possession, or of any Error or Omission of or in the Name of such Occupier.

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Provisos.

27. Every Rate for the Relief of the destitute Poor in every Union which shall be made after Thirty Days from the Time when the Board of Guardians of such Union shall have received such final Lists of the Valuation of all the Townlands comprised in such Union, and every Rate made by any Town Council within such Union, shall be made upon the Hereditaments and Tenements liable thereto according to the Valuation of each Hereditament or Tenement comprised in such Lists so signed and transmitted as aforesaid by the Commissioner of Valuation, until the same shall be revised in the Manner herein-after mentioned^a: Provided always, that nothing herein contained shall be construed to prevent the Board of Guardians, or the Town Council, or the Court at any General or Quarter Sessions on Appeal, from altering the Name of any Occupier or Immediate Lessor in such Valuation, in case of any Change of Abode or Possession or of any Error or Omission of the Name of such Lessor or Occupier.

Poor Rates
and Borough
Rates to be
made on
such Valua-
tion.

Proviso:
Names of
Occupiers or
Immediate
Lessors may
be altered
in case of
change or
error.

28. So much of an Act passed in the Session of Parliament held in the First and Second Years of the Reign of Her Majesty Queen *Victoria*, Chapter Fifty-six, or of any Act or Acts amending the same, as may authorize the Court, on Appeal being made thereto, at any General or Quarter Sessions, to amend, alter, or quash any Rate, on the Ground of the net annual Value assigned therein to any Tenement or rateable Hereditament^b, shall not extend to or apply to any Rate for the Relief of the destitute Poor made and assessed on such Tenement or rateable Hereditament, in conformity with the Valuation thereof, signed by the Commissioner of Valuation as aforesaid.

Quarter
Sessions not
to quash or
alter Poor
Rate on
Appeal, on
ground of
Value assign-
ed in such
Valuation.

^c 29^c. And for the Purpose of providing for the neces- Annual Re-
vision

^a § 29-33; 34.

^b 1 & 2 Vic. c. 56, § 107, 108 (p. 84-5); and 6 & 7 Vic. c. 92, § 7, (p. 113).

^c Part of § 29 of this act was repealed and amended by the provision made by the act of 1853, 16 Vic. c. 7 (p. 388): and § 29 and 30 were afterwards altogether repealed and other provisions made in lieu thereof, by the act of 1854, 17 Vic. c. 8, (p. 390).

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Valuation of
individual
Tenements
altered in
limits, or by
Building, &c.

Duties of
Poor Rate
Collectors
and Clerks of
Unions.

‘sary Alteration and Revision of the said Tenement
‘Valuation from Time to Time, in the Cases of those
‘Tenements or Hereditaments the Limits whereof shall
‘become altered, or whereof the Value shall be changed
‘by any Building being erected thereon or thrown down
‘or destroyed, as the Case may be, or in all Cases of Pro-
‘perty the annual Value of which is liable to frequent
‘Alteration, such as Fisheries, Railways, Canals, Tolls
‘of Roads and Bridges, and Mines, be it enacted, That
‘within Ten Days after the First Day of February in each
‘Year after any such Valuation or revised Valuation
‘shall have been completed and in operation, every Col-
‘lector of Poor Rates within each Poor Law Union within
‘which such Valuation shall be completed and in opera-
‘tion shall make out, and lay before the Board of Guar-
‘dians of the Union for which he is a Collector, a List of
‘all the Tenements or Hereditaments situate within
‘every Townland in the said Union, and within his Dis-
‘trict, the Valuation of which Tenements shall require
‘Revision for any of the Reasons aforesaid, or in respect
‘of any Property the annual Value of which is liable to
‘frequent Alteration as aforesaid; and if any such Collector
‘shall fail or neglect to make out, according to the best
‘of his Ability, and lay before the respective Board of
‘Guardians, such last-mentioned List of Tenements and
‘Properties, as hereby required, he shall for every such
‘Neglect or Default be liable to a Penalty not exceeding
‘Five Pounds: and the Clerk of the Union shall prepare
‘from the said Lists a full and complete List of all such
‘last-mentioned Tenements and Property, and shall for
‘Twenty Days after receiving the said Lists leave Copies
‘thereof open for Inspection at the Workhouse of the
‘Union, and permit Extracts to be taken from the same:
‘and in case of such Default as aforesaid by a Poor Law
‘Collector, any Ratepayer within the Union may lay
‘before the Board of Guardians a List of any Tenements
‘the Valuation of which shall in his Opinion require Re-
‘vision, which List shall be dealt with as if returned by
‘the Poor Law Collector, and^a shall transmit such List,
‘within Twenty Days from such First Day of February,
‘to the Commissioner of Valuation, with the Opinion of
‘the said Board of Guardians whether a Revision is ne-

^a The words “the Clerk of the Union” are omitted here. The clause enabling *Rate-payers* to lay Lists before the Guardians appears to have been introduced during the passing of the Bill through Parliament, without the requisite alteration of the context. The omission, the effect of which was to leave to “any rate-payer” a duty intended to be devolved upon the proper officer of the Union, was afterwards supplied by an act passed in 1853, 16 Vic. c. 7 (p. 387), which repealed the clause here referred to, and made other provision in lieu of it, to the effect intended. The latter act has itself been since repealed by an act of 1854, further amending the present act in this and other particulars, and repealing the whole of the present section and other provisions (17 Vic. c. 8, p. 390).

‘cessary on account of such Changes or Alterations, together with the Name of a Person whom the said Board of Guardians may recommend as a fit and proper Person to revise the same.

‘30^a. Within One Month after the Receipt of any of the said last-mentioned Lists, the said Commissioner of Valuation shall, if he shall think fit, appoint such Person so recommended, or authorize the Board of Guardians to appoint some other fit and proper Person, to revise the Valuation of the Tenements so requiring Revision, or the said Commissioner of Valuation shall himself cause a Revision to be made of the Valuation of the Tenements in the several Townlands and Parishes of the said Poor Law Union or City or Town, the Limits or Value whereof shall have been altered as aforesaid, whether such Tenements or Hereditaments so altered in Limits or Value shall have been included in the said Lists or not, and also in regard to any Property the annual Value whereof is liable to frequent Alteration as aforesaid; and the Person making such Revision shall have regard to the total Valuation of the Lands, independently of Buildings, within each respective Townland or other Denomination, as finally decided on by the Commissioner of Valuation, or by the Court at any General or Quarter Sessions of the Peace as aforesaid, and shall not increase or lessen such total Valuation; and as soon as the said Revision shall have been completed, the Commissioner of Valuation shall make out and prepare a List of the Tenements so revised as aforesaid, and shall sign the same, and transmit a List of such Tenements to the Guardians of the said Union, and to the Town Council of the Borough, and likewise to the Treasurer of the County, in the Form to this Act annexed^b; and the Clerk of such Union as aforesaid shall forthwith make the said Lists public by all and every the same Ways and Means by which the Lists of Tenements in the Form to this Act annexed are herein-before required^c to be made public^a.

31. The Owners or Occupiers of all Tenements the Area or Valuation of which shall have been altered as last aforesaid, in the List signed by the Commissioner of Valuation, shall have the same Powers of Appeal to the Commissioner of Valuation^d and to the Quarter Sessions^e, subject to the same Conditions and Provisions, and exercised in the same Manner and to the same Extent, as herein-before provided in regard to Appeal: Provided always, that such total Valuation of Lands as last aforesaid of any Townland shall not be increased or lessened at the Hearing of any such Appeal as aforesaid: Provided also, that when all the Appeals, if any, so taken, shall have

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List to be transmitted to Valuation Commissioner, with opinion of Board of Guardians, &c.

Valuation Commissioner to cause a Revision to be made of altered Tenements, &c.:

and to transmit a List of Revised Valuation of such Tenements to the Guardians, County Treasurer, &c.

Public notification thereof by Clerk of Union.

Appeal against such Revised Valuation.

^a This section (30,) is repealed and other provision made in lieu of it, by the act of 1854, 17 Vic. c. 8 (p. 390).

^b Form for Annual Revision, p. 387.

^c § 18.

^d § 19.

^e § 22, 23.

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been heard and finally determined or disposed of in Manner herein-before provided, the Commissioner of Valuation shall make out and transmit Lists in the Form as aforesaid of the Tenements and Properties so finally revised to the Guardians of the Poor of the Union, and to the Town Council of the Borough, and to the Treasurer of the County, in which respectively such Tenements and Properties are situate.

Poor Rates
and Borough
Rates to be
made on
Revised
Valuation.

32. In every Rate to be made after Thirty Days from the Receipt of such last mentioned finally revised List of Tenements or Hereditaments in each Year by the Board of Guardians of any Union, or Town Council, the Tenements or Hereditaments included in the said List shall be rated according to the Value thereof as set forth in the said List, in place of that specified in any former Lists, until the same shall again be revised from Time to Time in the manner herein-before last mentioned.

County Cess
to be levied
according to
Revised
Valuation.

33. And from and after the Commencement of the Summer Assizes next ensuing the Day on which such finally revised Lists of the Valuation of any County or Barony in each Year shall be received by the Treasurer of such County, all Grand Jury or County Assessments and Rates shall be levied within the several Townlands, and on such Tenements and Hereditaments therein, according to the Valuations contained in such Lists, in place of those specified in any former Lists, until the same shall again be revised from Time to Time in the Manner herein-before last mentioned.

General
Revision of
Valuation of
any Union,
County or
Barony, after
Fourteen
Years from
former Va-
luation; and
so from Time
to Time.

34. And for the Purpose of providing for the necessary Revision of the Valuation of the Land in consequence of Changes that may have taken place in the gross Amount of the Value of the several Townlands from Time to Time, be it enacted, That at or after the Termination of Fourteen Years from the Period of the final Completion of the first general Tenement Valuation of any Poor Law Union, County, or Barony, under the Act of the Ninth and Tenth Years of Her present Majesty, Chapter One hundred and ten^a, or under this Act, it shall be lawful for the Lord Lieutenant of Ireland, on Application by the Grand Jury of the County, if he shall think fit so to do, to direct the Commissioner of Valuation to make a general Revision of the Valuation of any such Poor Law Union, County, or Barony; and so from Time to Time at or after the Expiration of every subsequent Period of Fourteen Years from the final Completion of the preceding general Revision of the Valuation to cause a new Revision to be made: and upon each such Occasion, to cause Notice to be given to the Grand Jury of such County, County of a City or County of a Town, previous to such Direction, by Letter from the Chief Secretary of the Lord Lieutenant, addressed to the Secretary of the Grand Jury of such County, County of a City or County of a Town, and also

Notice to
Grand Jury
and Boards
of Guardians.

Notice to be given to the Clerks of the Boards of Guardians of the several Unions or Parts of Unions contained within such County: and the said Commissioner shall proceed therein as in the first general Valuation or general Revision of Valuation of any County which may have been made under the Provisions of this Act; and the Grand Jury of the said County, County of a City or County of a Town, and all Officers thereof, and every public Officer or other Person duly authorized, shall perform all Acts required to be done by them or him, in the same Manner and within the same Periods as herein-before is provided for the first general Valuation or general Revision of Valuation of the said County, County of a City or County of a Town, and shall have the same Powers, Privileges, and Immunities in the Performance of their respective Duties: and the said new Valuation, when completed, shall have the same Effect and Operation, to all Intents and Purposes, as the former general Valuation or general Revision of Valuation, and shall supersede the same: and that which is hereby enacted in relation to such first general Valuation or general Revision of Valuation, and the several Proceedings relating thereto, and all Matters connected therewith, shall apply in due Course, and under the same Circumstances and Conditions, to such Revision of the Valuation to be made from Time to Time as aforesaid; Provided always, that at or after the Expiration of Seven Years from the passing of this Act it shall be lawful for the Lord Lieutenant, on Application by the Grand Jury of any County, to direct the Commissioner of Valuation to make a general Revision of the Valuation of any such County, either upon a Scale of the Average of the Prices of agricultural Produce in Ireland for the Three then preceding Years, ascertained under any Act which may then be in force in Ireland for ascertaining the same, or if no such Act shall have been in force in Ireland for such Three preceding Years, then according to the Scale of Prices of agricultural Produce contained in this Act.

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Duties of
Officers
thereon.

Proviso:
Lord Lieu-
tenant may
direct Re-
vision after
Seven Years
from passing
of this Act,
on scale of
prices as di-
rected herein.

35. And for the Purpose of determining the Contents of Tenements from the Detail afforded by the Ordnance Survey of Ireland, be it enacted, That in all Revisions of the Valuation the latest revised Publication of any of the Plans of such Ordnance Survey shall be used by the Valuers or Surveyors employed in that Behalf.

For deter-
mining Con-
tents of Tene-
ments, latest
Publication
of Ordnance
Survey to be
used.

36. From and after the passing of this Act it shall be lawful for the Lord Lieutenant of Ireland to order and direct that a Salary not exceeding the Rate of Three Guineas *per* Day, shall be paid to the Commissioner of Valuation appointed under the Authority of the said first-mentioned Act or this Act during the Time he shall be so employed, together with such Allowance for travelling and other Expenses, not to exceed One Guinea *per* Day, as may be ordered and directed by the Lord Lieutenant.

Salary and
Allowances
of Valuation
Commis-
sioner.

37. It shall be lawful for the said Lord Lieutenant to Salary and

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Allowances
of Sub-Com-
missioner.

Salary and
Allowances
of Valuator,
Surveyor, &c.

Treasury may
advance
Money out
of Consoli-
dated Fund
for paying
Salaries, &c.,
in manner
provided :

Amount of
Expenses to
be repaid by
Grand Jury
Presentment,
and paid by
County Treas-
urer in man-
ner directed
by Treasury.

order and direct that a Salary shall be paid to each and every Sub-Commissioner who may be employed under this Act, not exceeding the Rate of One Pound *per* Day for every Day that such Sub-Commissioner shall be employed on the hearing and determining of Appeals as aforesaid, with an Allowance of Ten Shillings *per* Day to cover Hotel Expenses, together with a further Allowance of the actual travelling Expenses incurred by him while he shall be so employed as aforesaid.

38. Every Valuator, Surveyor, Measurer, Draftsman, Writing Clerk, or other Person or Persons shall be entitled to receive for his Salary any Sum to be fixed by the Commissioner of Valuation, provided that such Sum shall in no Case exceed the Rate of Twenty Shillings *per* Day for every Day during which such Person shall be employed under the Orders of the Commissioner of Valuation, together with such Allowances to cover Hotel and travelling Expenses as may appear to such Commissioner to be fair and reasonable in each Case.

39. It shall be lawful for the Commissioners of Her Majesty's Treasury to order and direct that any such Sum or Sums of Money as they shall think proper shall be advanced quarterly from the Consolidated Fund of the United Kingdom of Great Britain and Ireland for the defraying the Salaries of the said Commissioner of Valuation, and the Allowances which shall be from Time to Time payable to the Persons employed in carrying this Act into execution; and all such Advances shall be made to such Persons, at such Times, in such Manner, and under such Rules and Regulations as shall from Time to Time be ordered and directed by such Lord Lieutenant and as shall be signified in the usual Manner by the said Commissioners of Her Majesty's Treasury; and it shall be lawful for the Chief Secretary or Under Secretary to the Lord Lieutenant to certify to the Grand Jury of any and every County within which any such Persons shall be employed, the Amount of Money which shall have been paid to the Commissioner of Valuation, and to the several Persons employed within such County in the Execution of this Act, out of the Advance authorized by this Act; and thereupon, for the Repayment of such Advances, it shall and may be lawful for the Grand Jury of any and every such County respectively, and they are hereby authorized and required, from Time to Time, to make Presentment of the Amount of such Expenses as stated in such Certificate, to be raised off the County at large, or the several Baronies therein, or off any Part of a Poor Law Union therein, in such Manner and in such Proportions as the Lord Lieutenant shall direct; and when and so soon as the Sum so to be presented as aforesaid shall be raised and received by the Treasurer of any County, such Treasurer shall pay over the same to such Bank or Person as the Commissioners of Her Majesty's Treasury shall think fit to direct.

40. Ten Days previously to the Commencement of each Assizes, the Commissioner of Valuation shall transmit to the Secretary of any Grand Jury of any County which shall be in the Course of Valuation or Revision as aforesaid, a Statement of the Progress made in such Valuation or Revision, together with a Statement in detail of the Expenditure on the same, up to the Period when such Return shall be made; and such Statement shall contain the Name of each Person above the Class of a daily Labourer to whom any Portion of the said Expenditure shall have been paid, the Amount paid to him, and the Salary or Purpose for which the same shall have been paid, and the Rate and Amount of daily Hire of any daily Labourers employed in attending the Surveyors and Valuers.

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Statements
of Progress of
Valuation
and Expen-
ses, &c. to be
transmitted
by Valuation
Commis-
sioner to
Grand Jury,
before each
Assizes.

41. If any Clerk to any Board of Guardians, Clerk of the Peace, Secretary of a Grand Jury, Treasurer of a County, Town Clerk, or any Valuator appointed by the Commissioner of Valuation, or other Person or Persons, shall omit or neglect or refuse to do any Matter or Thing which any such Person is by this Act required and directed to do in the Execution of this Act, or if any Person shall wilfully obstruct, hinder, or prevent any Person acting in the Execution of this Act, every Person so offending shall forfeit a Sum not exceeding Ten Pounds, in the Discretion of the Justices before whom such Offender shall be convicted.

Officers or
Persons
neglecting
their Duty or
obstructing
others in Exe-
cution of
theirs, liable
to Penalty.

42. All Penalties and Forfeitures inflicted or imposed by this Act may be sued for and recovered in a summary Way by the Order and Adjudication of any Justice or Justices of the Peace at Petty Sessions, under and subject to the several Provisions and Regulations relating to summary Jurisdiction contained in "The Petty Sessions (Ireland) Act, 1851^a," and shall be applied in the Manner by the said Act directed.

Recovery of
Penalties
in summary
way.

43. No Proceedings to be had touching the Conviction of any Offender or Offenders against this Act shall be quashed for Want of Form, nor be removed nor removable by Certiorari, or any other Writ or Process whatsoever, into any of Her Majesty's Courts of Record at Dublin; and where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or want of Form in the Summons or Conviction, or in the Warrant of Distress or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage (if any) in an Action on the Case;

Proceedings
not to be
quashed for
Want of
Form, nor
removed by
certiorari,
&c.

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of Actions,
&c.

Notice.

Tender of
Amends.

Time.

Venue.

Special Plea,
or General
Issue.General
Avowry in
Replevin.

Costs.

but no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity as aforesaid if Tender of sufficient Amends hath been made, by or on behalf of the Party distraining, before such Action commenced.

44. No Action, Suit, or Proceeding shall be commenced or prosecuted against any Justice of the Peace, or any Commissioner of Valuation, or against any Valuator, or against any other Person or Persons, for anything done in pursuance of this Act, until Thirty Days Notice thereof shall be given to such Justice, or Commissioner, or Valuator, or other Person or Persons, nor after sufficient Satisfaction, or Tender of Amends hath been made to the Party or Parties aggrieved, nor after the Expiration of Three Calendar Months next after the Fact committed; and every such Action or Suit or Prosecution shall be laid or brought in the County, County of a City or County of a Town, where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action, Suit, or Prosecution shall and may, at his or their Election, plead specially, or the General Issue Not Guilty, and give this Act and the special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if any Replevin shall be brought for any Cattle, Goods, or Chattels seized or taken by virtue or in pursuance of this present Act, it shall and may be lawful and sufficient to and for any Person or Persons who shall be Defendant or Defendants or Avowant or Avowants in any such Replevin, to avow, plead, or make Cognizance generally that he or they took the same Cattle, Goods, or Chattels as a Distress by Force of the Statute in that case made and provided, without more particularly setting forth this Act, or the Cause of making and detaining the said Distress or Distresses, or making any other special Plea, Avowry, or Cognizance, anything herein contained to the contrary notwithstanding; and if it shall appear that the Matter on which the Cause of Action arose was done, or that the Distress replevied was made, in pursuance and by Authority of this Act, or that such Action or Suit shall have been brought before Thirty Days Notice thereof was given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County, County of a City or County of a Town, than as aforesaid, then the Jury shall find for the Defendant or Defendants or Avowant or Avowants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or shall discontinue his, her, or their Action, Suit, or Prosecution after the Defendant shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants or Avowant or Avowants shall recover Double Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in other Cases of Costs given by Law.

45. In the Construction of this Act, unless there be anything in the Subject or Context repugnant to such Construction, the Words "Lord Lieutenant" shall be deemed to mean Lord Lieutenant or other Chief Governor or Governors of Ireland; the Word "Inhabitant" shall include every one rated to the Grand Jury Cess; the Words "Town Council" and "Council" shall include "Town Commissioners," under an Act of the Ninth Year of His late Majesty King George the Fourth, Chapter Eighty-two*, or any Trustees or other Body empowered by Law to make local Assessments; "Clerk of the Guardians" and "Clerk" shall be understood to mean and include Clerk of the Board of Guardians of the Poor of the Union, or other Person appointed to act or acting in his Stead; and the "Court of Quarter Sessions" shall be understood to mean the Court of General or Quarter Sessions of the Peace; and the Word "Assizes" shall include "Presenting Term;" and the Word "Treasurer" shall include "Finance Committee;" and [that^b?] all Provisions and Directions in this Act contained relating to Counties, shall extend to all Counties, Counties of Cities, Counties of Towns, and Towns Corporate in Ireland; and [that^b?] all the Acts and Duties by this Act required to be performed by the several Grand Juries at the Assizes for any County shall and may, in the County of Dublin, be performed at the Presenting Terms by the Grand Jury of the said County duly met and impannelled, and in the County of the City of Dublin by the Council of the Borough of Dublin; and [that^b?] all Provisions and Directions relating to Baronies shall extend to Half Baronies, and to all other Divisions of Counties being greater than Parishes, and in reference to any County of a City or County of a Town shall be deemed to mean and refer to such County of a City or County of a Town; and [that^b?] all Provisions and Directions relating to Parishes shall extend to all Chapelries or Divisions of Parishes or extra-parochial Divisions; and [that^b?] all Provisions and Directions relating to Townlands shall extend to all Divisions and Sub-denominations of Lands, less than and being comprised within any Parish; and the Word "Tenements" shall include rateable Hereditaments; and the Word "Houses" shall include Buildings; and the Word "Towns" shall include Cities; and where any Parish or Union shall be situate in more than One County or Barony, or partly in a County and partly in a County of a City, County of a Town, or Town Corporate, the several Parts of such Parish shall be valued as a distinct Parish in the several Baronies or Counties, or Counties of Cities or Counties of Towns, or Towns Corporate, to which they shall contribute to the Payment of any County Cess Charges or Grand Jury Rate.

46. And for the Purposes of Assessment for Grand

15 & 16 Vic.
c. 63.Construction
of Terms:Lord
Lieutenant;
Inhabitants;
Town
Council,
Town Com-
missioners;
Clerk;Quarter
Sessions;Assizes,
Presenting
Term;

Treasurer;

Finance
Committee;Counties,
Cities Towns;Grand Jury,
Dublin;
County, City;

Baronies, &c.

Parishes;

Townlands;

Tenements;

Houses;

Towns,
Cities;Parts of
Parishes or
Unions in
different
Counties, &c.

Where

* 9 Geo. 4, c. 82 (p. 407).

^b Sic.

15 & 16 VIC. c. 63,
GENERAL
TENEMENT
VALUATION
ACT,
1852.

neither
Townland
nor Tenement
Valuation is
completed,
Grand Jury
may direct
County Rates
to be assessed
according to
last Poor Law
Valuation, if
they think
fit, until
Tenement
Valuation is
completed.

Jury Rates, in any County where neither the Townland Valuation nor the Tenement Valuation of any such County shall have been completed under the Provisions of the Acts for the uniform Valuation of Lands and Tenements in Ireland or of this Act, it shall be lawful for the Grand Jury of such County, at any Assizes, if they shall so think fit, to order and direct that all Grand Jury Rates in any Barony of such County shall be made and levied upon all Lands and Tenements therein and liable thereto, according to the Valuation on which the last preceding Rate for the Relief of the Poor had been made, until the Valuation of such County or Barony shall have been completed under the Provisions of this Act, when all such Assessments or County Rates shall be made on such Valuation, as by this Act directed; and where the Townland Valuation of any County shall have been completed under the Provisions of the Acts for the uniform Valuation of Lands in Ireland, it shall be lawful for the Grand Jury of such County, at any Assizes, if they shall so think fit, to order and direct that all Grand Jury Rates to be raised off any Townland or Townlands by the Warrant of the Treasurer of such County shall be subdivided and levied upon all Lands and Tenements within any such Townland or Townlands and liable thereto, according to the Valuation of such Lands and Tenements on which the last preceding Rate for the Relief of the Poor had been made, until the Valuation of such County or Barony shall have been completed under the Provisions of this Act, when all such Assessments or County Rates shall be made on such Valuation, as by this Act directed; and when any such Order and Direction shall have been given as aforesaid, the Valuation on which the last preceding Rate in the respective Place, from Time to Time, for the Relief of the Poor, shall have been made, shall stand in the Place and Stead, and shall have like Force and Validity, of any such Applotment of Grand Jury Cess as is directed by the Act of the Sixth and Seventh Years of King William the Fourth, Chapter One hundred and sixteen^a, and shall be used by the respective Collector of Grand Jury Cess for applotting and assessing the same upon the several Lands and Tenements in his District of Collection, subject to like Provisions, and with like Powers with respect to levying the same, and with like Immunities relating to the same, as if the same had been duly applotted under the said Act; and the Officer or Person having the Custody of such last preceding Rate, if required and applied to by such Collector for such Purpose, shall at all convenient Times allow him or his Deputy to inspect or take a Copy of or Extracts from such Parts of the same as relate to his Collection, or in case of refusing or neglecting so to do shall be liable to a Penalty not exceeding Five Pounds for each such Neglect or Refusal.

47. And whereas by an Act passed in the Seventh and Eighth Years of Her Majesty, intituled *An Act to consolidate and amend the Laws for the Regulation of Grand Jury Presentments in the County of Dublin*^a, it was enacted, that from and after the First Day of the Presenting Term next following the Publication of the Survey and Valuation of the County of *Dublin* under the Act of the Sixth and Seventh of William the Fourth, intituled *An Act to consolidate and amend the several Acts for the uniform Valuation of Lands and Tenements in Ireland*^b, all County Charges by Grand Jury Presentments in the said County of *Dublin* should be assessed and levied according to the Proportions specified in the said Act: Be it enacted, That in the said County of *Dublin*, from and after the First Day of the Presenting Term next following the Day on which the printed List of the Valuation of the said County under this Act shall be received by the Secretary of the Grand Jury, it shall be lawful for the Finance Committee of the said County of *Dublin*, in making their Apportionment of all Charges under the said Act of the Seventh and Eighth Years of Her Majesty's Reign^a, to apportion, declare, and strike all County, Baronial, or Parochial Charges imposed by Grand Jury Presentments, by a Poundage Rate upon each Barony, Parish, or Denomination in the said County of *Dublin*, according to the Valuation thereof contained in such printed List; and all that Applotments^c to be made under and in pursuance of any Warrants issued by the Finance Committee of said County shall be made by a Poundage Rate upon the several Tenements and Hereditaments in such Barony, Parish, or Denomination, according to the Valuation thereof contained in such printed List: Provided always, and be it enacted, that in making the Poundage Rate it shall not be necessary for the Finance Committee to adopt or take into account any smaller Fraction than One Fourth Part of a Penny in the Pound, neither shall any Rate so made be vitiated or impugned by reason of its exceeding the Sum authorized by Presentments to be raised, if the Excess shall have been created by such Fractions of not more than One Fourth of a Penny in the Pound.

48. Nothing in this Act contained shall repeal the Provisions in the "Towns Improvement Clauses Act, 1847," or in any Act incorporating the same; relative to the Management of Streets, or the Liability to Grand Jury Cess, or other Payment in respect of making or repairing Roads.

15 & 16 Vic.
c. 63,
GENERAL
TENEMENT
VALUATION
ACT,
1852.

Grand Jury
Present-
ments in
County of
Dublin.

Certain pro-
visions in
Towns Im-
provement
Clauses Act,
10 & 11 Vic.
c. 34, not
repealed.

^a 7 & 8 Vic. c. 106, § 98, (p. 492.)

^b General Valuation Act, 6 & 7 Wm. 4, c. 84.

^c *Sic*: quære, "and that all Applotments"?

FORM.

VALUATION OF TENEMENTS (No. 1)^a.

County of _____
 City of _____
 or Town of _____
 or Borough of _____

Union _____
 Barony _____
 Parish _____

Reference to Map.	Names.		Description of Tenement.	Area.	Rateable Annual Valuation.		Total Annual Valuation of Rateable Property.
	Townlands and Occupiers.	Immediate Lessors.			Land.	Buildings.	
				A. R. P.	£ s. d.	£ s. d.	£ s. d.

(Signature) A——B——, Commissioner of Valuation.

FORM.

VALUATION OF TENEMENTS AS ALTERED AND AMENDED (No. 2)^b.

County of _____
 City of _____
 or Town of _____
 or Borough of _____

Union _____
 Barony _____
 Parish _____

Reference to Map.	Names.		Description of Tenement.	Area.	Rateable Annual Valuation.		Total Annual Valuation of Rateable Property.
	Townlands and Occupiers.	Immediate Lessors.			Land.	Buildings.	
				A. R. P.	£ s. d.	£ s. d.	£ s. d.

(Signature) A——B——, Commissioner of Valuation.

FORM.

FINALLY REVISED VALUATION OF TENEMENTS (No. 3)^c.

County of _____
 City of _____
 or Town of _____
 or Borough of _____

Union _____
 Barony _____
 Parish _____

Reference to Map.	Names.		Description of Tenement.	Area.	Rateable Annual Valuation.		Total Annual Valuation of Rateable Property.
	Townlands and Occupiers.	Immediate Lessors.			Land.	Buildings.	
				A. R. P.	£ s. d.	£ s. d.	£ s. d.

(Signature) A——B——, Commissioner of Valuation.

^a § 17. (p. 371).

^b § 21. (p. 372.)

^c § 25. (p. 374).

FORM.

ANNUAL REVISION OF THE VALUATION OF TENEMENTS ^a.

County of _____ Union _____
 City of _____ Barony _____
 or Town of _____ Parish _____
 or Borough of _____

Reference to Map.	Names.		Description of Tenement.	Area.	Rateable Annual Valuation.		Total Annual Valuation of Rateable Property.
	Townlands and Occupiers.	Immediate Lessors.			Land.	Buildings.	
				A. R. P.	£ s. d.	£ s. d.	£ s. d.

(Signature) *A* — *B* — , Commissioner of Valuation.

GENERAL TENEMENT VALUATION AMEND-
MENT ACT,—1853.

16 VIC. c. 7,
VALUATION
AMENDMENT
ACT,
1853.

16 VICT. CAP. 7.

An Act to amend an Act^b relating to the Valuation of
rateable Property in Ireland^c.

[21st February 1853.]

WHEREAS an Act was passed in the Sixteenth Year of Her Majesty's Reign, intituled *An Act to Amend the Laws relating to the Valuation of Rateable Property in Ireland*; and the said Act^b, “for the Purpose of Providing for the
 “necessary Alteration and Revision of the Valuations
 “made, completed, or revised under the said Act from
 “Time to Time, in the Cases of those Tenements or
 “Hereditaments the Limits whereof shall become altered,

15 & 16 Vic.
c. 63.

Provision for
Annual Re-
vision of
Tenement
Valuation.

^a § 30 (p. 377).

^b 15 & 16 Vic. c. 63, General Tenement Valuation Act of 1852; § 29 (p. 376).

^c This act of 1853 is repealed by the subsequent act of 1854, (17 Vic. c. 8.) whereby (§ 4, p. 391) other provision is made in lieu of that in the original act of 1852, herein referred to.

16 VIC. c. 7,
VALUATION
AMENDMENT
ACT,
1853.

Poor Rate
Collectors to
make out
and submit
to Guardians
on or before
11th Feb. in
each year,
Lists of
Tenements
requiring
Revision,
from altera-
tion of limits,
&c. :

Penalty on
Collector for
omission.

“ or whereof the Value shall be changed by any Building
“ being erected thereon or thrown down or destroyed,
“ as the Case may be, or in all Cases of Property the
“ annual Value of which is liable to frequent Alteration,
“ such as Fisheries, Railways, Canals, Tolls of Roads,
“ and Bridges, and Mines,” enacted^a, “ That within Ten
“ Days after the First Day of February in each Year after
“ any such Valuation or revised Valuation shall have
“ been completed and in operation, every Collector of
“ Poor Rates within each Poor Law Union within which
“ such Valuation shall be completed and in operation,
“ shall make out and lay before the Board of Guardians
“ of the Union for which he is a Collector, a List of all
“ the Tenements or Hereditaments situate within every
“ Townland in the said Union, and within his District,
“ the Valuation of which Tenements shall require Revision
“ for any of the Reasons aforesaid, or in respect of any
“ Property the annual Value of which is liable to fre-
“ quent Alteration as aforesaid; and if any such Collector
“ shall fail or neglect to make out, according to the best
“ of his Ability, and lay before the respective Board of
“ Guardians, such last-mentioned List of Tenements and
“ Properties, as hereby required, he shall for every such
“ Neglect or Default be liable to a Penalty not exceed-
“ ing Five Pounds: and ‘ the Clerk of the Union shall
“ ‘ prepare from the said Lists a full and complete List
“ ‘ of all such last-mentioned Tenements and Property,
“ ‘ and shall for Twenty Days after receiving the said
“ ‘ Lists leave Copies thereof open for Inspection at the
“ ‘ Workhouse of the Union, and permit Extracts to be
“ ‘ taken from the same; and in case of such Default
“ ‘ as aforesaid by a Poor Law Collector, any Ratepayer
“ ‘ within the Union may lay before the Board of Guar-
“ ‘ dians a List of any Tenements the Valuation of which
“ ‘ shall in his Opinion require Revision, which List shall
“ ‘ be dealt with as if returned by the Poor Law Col-
“ ‘ lector, and^b shall transmit such List, within Twenty
“ ‘ Days from such First Day of February, to the Com-
“ ‘ missioner of Valuation, with the Opinion of the said
“ ‘ Board of Guardians whether a Revision is necessary
“ ‘ on account of such Changes or Alterations, together

^a 15 & 16 Vic. c. 63, § 29, (p. 376.)

^b The words “ the Clerk of the Union” having been omitted here in the original act, (see note in p. 376,) the present act supplies the omission by repealing the clause, and enacting other provisions in lieu thereof, as in § 1, (p. 389.) The present act has itself since been repealed by that of 1854, whereby the provision in the original act of 1852 is further modified: see 17 Vic. c. 8, § 1, 4 (p. 390-1), which still requires the Collectors and Clerks of Unions to make out lists of tenements considered to require revision, such lists to be made out annually in November, and laid before the Board of Guardians, and then transmitted to the Valuation Commissioner with the opinion of the Guardians as to the necessity of such revision.

“ “ with the Name of the Person whom the said Board of
 “ “ Guardians may recommend as a fit and proper Per-
 “ “ son to revise the same;” and it is expedient to amend
 the above-cited Provisions: Be it therefore enacted by,
 &c., as follows:

16 VIC. c. 7,
 VALUATION
 AMENDMENT
 ACT,
 1853.

1. So much of the above-recited Provision^a as enacts, that “the Clerk of the Union shall prepare from the said Lists a full and complete List of all such Tenements and Property, and shall for Twenty Days after receiving the said Lists leave Copies thereof open for Inspection at the Workhouse of the Union, and permit Extracts to be taken from the same; and in case of such Default as aforesaid by a Poor Law Collector, any Ratepayer within the Union may lay before the Board of Guardians a List of any Tenements the Valuation of which shall in his Opinion require Revision, which List shall be dealt with as if returned by the Poor Law Collector, and shall transmit such List, within Twenty-one Days from such First Day of February, to the Commissioner of Valuation, with the Opinion of the said Board of Guardians whether a Revision is necessary on account of such Changes or Alterations, together with the Name of a Person whom the said Board of Guardians may recommend as a fit and proper Person to revise the same,” shall be and is hereby repealed; and in lieu thereof it shall be and is hereby enacted as follows^b:

Repeal of
 Part of § 29
 of General
 Tenement
 Valuation
 Act of 1852^a,
 as to Annual
 Revision of
 Valuation.

The Clerk of the Union shall prepare from the Lists so directed to be made out by the Collectors, and laid before the Board of Guardians, a full and complete List of all Tenements and Property mentioned in such Collectors' Lists, and shall for Twenty Days after receiving the said Lists leave Copies thereof open for Inspection at the Workhouse of the Union, and permit Extracts to be taken from the same; and in case of such Default as aforesaid by any Poor Rate Collector, any Ratepayer within the Union may lay before the Board of Guardians a List of any Tenements of which the Valuation shall in his Opinion require Revision, which List shall be dealt with as if it were made out and laid before the Board of Guardians by the Poor Rate Collector, and the Tenements named therein shall in like Manner be included in the List directed to be made out by the Clerk of the Union; and the Clerk of the Union shall, within Twenty Days after such First Day of February, transmit the List so directed to be made out by him to the Commissioner of Valuation, with the Opinion of the said Board of Guardians whether a Revision is necessary on account of such Changes or Alterations, together with the Name of a Person whom the said Board of Guardians may recommend as a fit and proper Person to revise the same^b.

Clerk of
 Union to
 make out
 List of Tene-
 ments pro-
 posed for
 Revision in
 Collectors'
 Lists, and
 leave same
 open to
 Inspection:
 In Default of
 Collector,
 Ratepayers
 may make
 out Lists
 and lay same
 before Guar-
 dians.
 Clerk to
 transmit
 General List,
 &c. to Valua-
 tion Commis-
 sioner on or
 before 21st
 Feb. in each
 year.

^a 15 & 16 Vic. c. 63 § 29, (p. 376).

^b See latter part of note ^b in page 388, and 17 Vic. c. 8, referred to therein.

17 Vic. c. 8,
VALUATION
AMENDMENT
ACT,
1854.

GENERAL TENEMENT VALUATION AMENDMENT ACT,—1854.

17 VICT. CAP. 8.

An Act further to amend an Act^a relating to the Valuation of rateable Property in *Ireland*.

[12th May 1854.]

15 & 16 Vic.
c. 63.

16 & 17 Vic.
c. 7.

Repeal of
§ 15, 29, 30,
and part of
§ 25, of 15 &
16 Vic. c. 63;
and of the
whole act
16 Vic. c. 7.

Tenements
of a public
Nature or
used for
charitable,
scientific or
literary Pur-
poses. to be
distinguished
in Valuation,
and exempt
from Assess-
ment:

WHEREAS an Act was passed in the Session holden in the Fifteenth and Sixteenth Years of Her Majesty (Chapter Sixty-three), “to amend the Laws relating to the Valuation of rateable Property in *Ireland*,” and such Act was amended by an Act of the last Session of Parliament, Chapter Seven^b: And whereas it is expedient further to amend the said Act of the Fifteenth and Sixteenth Years of Her Majesty^a: Be it therefore enacted by, &c., as follows:

1. The said Act of the last Session of Parliament^b, and Sections Fifteen, Twenty-nine, and Thirty of the firstly herein-before mentioned Act^a, and so much of Section Twenty-five of the same Act^a as enacts that ‘on the Receipt by the Treasurer of any County of such final Lists as therein mentioned of any Barony or of the whole Number of Baronies in such County, such Treasurer shall strike out from the Columns in such final Lists relating to Buildings the Valuations of each and every House in each Tenement and Townland the net annual Value of which House, as therein stated, shall not exceed Five Pounds, and shall deduct the Sum of such Valuations of Houses valued under Five Pounds and so struck out, from the total Amount of the Valuation of such respective Tenement and Townland; and that the Valuation of each Tenement and Townland after such Deduction shall be deemed to be the Value thereof for the Purposes of County Assessments,’ shall be repealed.

2. In making out the Lists or Tables of Valuation mentioned in the said firstly herein-before mentioned Act^a, the Commissioner of Valuation shall distinguish all Hereditaments and Tenements, or Portions of the same, of a Public Nature, or used for charitable Purposes, or for the Purposes of Science, Literature, and the Fine Arts, as specified in an Act of the Sixth and Seventh Years of Her Majesty, Chapter Thirty-Six^d; and all such Hereditaments or Tenements, or Portions of the same, so distinguished, shall, so long as they shall continue to be of a public Nature, and occupied for the public Service, or used for the Purposes aforesaid, be deemed exempt from

^a General Tenements Valuation Act, 15 & 16 Vic. c. 63 (p. 365).

^b 16 Vic. c. 7 (p. 387).

^c 15 & 16 Vic. c. 63: see § 17, 21, 25, 30 (p. 371, &c.).

^d 6 & 7 Vic. c. 36, exempting Lands and Buildings occupied by Literary or Scientific Societies from Rates and Taxes, on being certified as therein provided (p. 327).

all Assessment for the Relief of the destitute Poor in Ireland, and for Grand Jury and County Rates: Provided always, that Half the annual Rent derived by the Owner or other Person interested in any Tenements or Hereditaments so distinguished shall be included in such List or Tables, so far as the same can or may be ascertained by the said Commissioner of Valuation^a.

17 Vic. c. 8.

But Half Rent therefrom, to be entered in the Valuation.

3. Where the Assizes for any County next ensuing the Day on which any final Lists of Valuation mentioned in Section Twenty-six of the firstly herein-before mentioned Act^b shall be received by the Treasurer of such County, happen to be the Spring Assizes, it shall be lawful for the Grand Jury of such County at such Assizes, if they so think fit, to direct that the Valuations contained in such final Lists shall, from and after the Commencement of such Assizes, be in force and be acted upon for the Purposes mentioned in the said Section, as if such Assizes were the Summer Assizes next ensuing the Day of such Receipt of such final Lists respectively; and such Lists shall be so acted upon accordingly.

Grand Jury may direct Lists to be acted upon at the First Assizes after their Receipt, whether Spring or Summer Assizes.

4. And for the Purpose of providing for the necessary Revision of the Valuation of the rateable Tenements and Hereditaments the Limits whereof shall become altered, and also of rateable Tenements or Hereditaments the annual Value of which is liable to frequent Alteration, such as Fisheries, Railways, Canals, Tolls of Roads, Bridges, Mines, Gas and Water Works, and Buildings, be it enacted, That on the Fifteenth Day of *November* in each Year, every Collector of Poor Rates within each Poor Law Union within which the Valuation of the rateable Hereditaments and Tenements has been or shall have been completed and shall be in operation, shall make out and deliver to the Clerk of such Union, to be by him laid before the Board of Guardians of such Union, a List of all the Tenements or Hereditaments situate within every Townland in the said Union and within his District the Valuation of which Tenements shall require Revision for any of the Reasons aforesaid or in respect of any Property the annual Value of which is liable to frequent Alteration as aforesaid; and if any such Collector shall fail or neglect to make out such List according to the best of his Ability, and deliver the same to the Clerk of the Union as aforesaid, within the Period aforesaid, he shall for every such Neglect or Default be liable to a Penalty not exceeding Five Pounds: and any Ratepayer within any Poor Law Union may within the same Period make out and deliver to the Clerk of the Union, to be by him laid before the Board of Guardians thereof, a List of any Tenements the Valuation of which shall in his Opinion require Revision:

Annual Revision of Valuation of Tenements altered or liable to frequent Alteration.

Collectors of Poor Rates to make out Lists of Tenements requiring Revision, on 15th Nov. in each year.

Such Lists to be delivered to Clerk of Union and laid before the Guardians.

Penalty on Collector for neglect:

And Rate-payers may send in Lists for Revision.

^a See § 12 of 15 & 16 Vic. c. 63 (p. 369), under which half the rent derived from such premises is rateable; these provisions are to the same effect as that in the Poor Law Amendment Act of 1849, 12 & 13 Vic. c. 104, § 10 (p. 192), under which half the general poundage of the Poor Rate was to be assessed on the whole rent, in these cases.

^b 15 & 16 Vic. c. 63, § 26 (p. 374).

17 Vic. c. 8,

Lists to be open to inspection; Clerk to make out general List by 27 Nov. and transmit to Commissioner with opinion of Guardians.

Valuation Commissioner to cause Revision to be made; and to prepare Revised Valuation or List of Tenements, and transmit same to Guardians, Town Council, and County Treasurer.

Clerk to publish Revised Valuation in manner provided.

Previous act and this, One Act.

and the Clerk of each Poor Law Union shall for Ten Days after receiving any such List leave the same open for public Inspection at the Workhouse of such Union, and permit Extracts to be made therefrom, and shall on or before the Twenty-seventh Day of *November* in each Year make out a full and complete List of all Tenements and Property mentioned in such Lists delivered to him as aforesaid on or before the Fifteenth Day of the same Month, and transmit the List so made out by him to the Commissioner of Valuation, with the Opinion of the said Board of Guardians whether such Revision is necessary on account of such Changes or Alterations.

5. On or before the First Day of Summer Assizes to be held for any County next after the Receipt of such Lists for the several Poor Law Unions in such County, the Commissioner of Valuation shall cause a Revision to be made of the Valuation of the Tenements in the several Townlands and Parishes within such County, or any Barony or Poor Law Union therein, and appoint fit and proper Persons to revise the Valuation of the Tenements so requiring Revision; and the Person making such Revision shall have regard to the total Valuation of the Lands, independently of Buildings, within each respective Townland or other Denomination, as finally decided on by the Commissioner of Valuation, or by the Court at any General or Quarter Sessions of the Peace, under the Provisions of the firstly herein-before mentioned Act^a; and shall not increase or lessen such total Valuation, except in Cases in which a clerical Error shall have been discovered, when the same may be rectified: and as soon as the said Revision shall have been completed, the Commissioner of Valuation shall make out and prepare a revised List or Lists of the Valuation of the rateable Hereditaments and Tenements within such County or any Barony thereof, or within such Poor Law Union, or a List of the Tenements, so revised as aforesaid, and shall sign the same, and transmit printed or written Copies of such List or Lists, so signed by him, in the Form set forth in the Schedule to the firstly herein-before mentioned Act annexed^b, to the Guardians of each Union, and to the Town Council of any Borough within which any Tenements contained in any such List are situate, and likewise to the Treasurer of the County; and the Clerk of such Union shall forthwith make every such List public by all and every the same Ways and Means as are directed by Section Twenty eight^c of such Act concerning the Lists in such Section mentioned.

6. The firstly herein-before mentioned Act^a and this Act shall be construed together as One Act.

^a 15 & 16 Vic. c. 63, ante.

^b p. 387.

^c This appears to be an error, no such lists as are here alluded to being mentioned in § 28 of 15 & 16 Vic. c. 63, which section relates to a different matter. The sections of that act which provide for the publication of Valuation Lists by the Clerk of the Union are § 18, 21, 30, (p. 371 *et seq.*)

FISHERIES; VALUATION AND RATING, &c.

FISHERIES
ACTS.

The act of 1848, 11 & 12 Vic. c. 92, relating to the Inland Fisheries of Ireland, provides for the formation of local Boards of Conservators of Fisheries for any Electoral Division or Divisions combined into a Fishery District; and directs, in § 6, that any person possessing “a several or exclusive Fishery or Fisheries therein, as Owner, Lessee, or Occupier, valued under the Acts for the more effectual Relief of the destitute Poor in Ireland at One Hundred Pounds yearly or upwards,” shall be entitled to sit with the elected Conservators for such District, and shall be deemed *ex officio* a Conservator or Conservators for the same:—§ 13 gives power to Boards of Conservators to alter and fix, subject to approval by the Commissioners of Fisheries, the Licence Duties and Rates to be levied to defray the expenses incurred for the purposes of this act in the respective districts; which rates are to be founded on the Poor Law Valuation, and not to exceed ten per cent. per annum upon that Valuation. Where no Valuation of the Fisheries has been made for the purposes of the Poor Law Acts, the Commissioners of Poor Law in Ireland are to cause a Valuation to be made on being called upon to do so by the Commissioners of Fisheries, on application of the local Conservators, under § 25 of 11 & 12 Vic. c. 92 (p. 394): but this provision for the valuation of Fisheries will be superseded on the completion of a valuation under the General Tenement Valuation Act of 1852, 15 & 16 Vic. c. 63, in which the Valuation of Fisheries is provided for; see § 12 of that act (p. 369).

“Several Fisheries” are defined in a previous Fisheries Act, (5 & 6 Vic. c. 106) cited in that of 1848, as follows:—

EXTRACT from 5 & 6 Vict. cap. 106.

“§ 114. And be it enacted, That the Words ‘Several Fishery’ shall, for the Purposes of this Act, be construed to mean an Exclusive Fishery, possessed and enjoyed as such by Virtue of Grant, Patent, or Charter, or by Act of Parliament, or by Prescription; and in all Rivers or

5 & 6 Vic.
c. 106.

Definition of
“Several
Fishery.”

FISHERIES
ACTS.5 & 6 Vic.
c. 106.

Parts of Rivers or Lakes where the Tide does not ebb or flow, and which by Law are not deemed public navigable Rivers or Lakes, and in which no such Exclusive Fishery as aforesaid shall have been possessed and enjoyed as aforesaid, the Proprietors in Fee of the adjoining Lands shall be considered to be Possessor of a Several Fishery within the Bounds and Limits of the said Lands, or so far as they are seised and possessed of the Soil and Bed of such Rivers or Lakes: Provided always, that nothing herein contained shall be construed to lessen or abridge any public Right of Fishing by lawful Means and in lawful Seasons heretofore enjoyed and exercised within the Limits of any such several Fisheries."

11 & 12 Vic.
c. 92.

All Several Fisheries to be subject to an annual Rate according to Poor Law Valuation.

EXTRACTS from 11 & 12 Vict. Cap. 92.

"§ 23. And be it enacted, That in all Cases of fixed and established Salmon, Trout, or Eel Fisheries which under the Provisions of the said first-recited Act are designated 'Several Fisheries,' or are now or may hereafter be claimed or possessed or used as several Fisheries^a, whether the same be fished by means of Weirs extending entirely or partly across Rivers or Estuaries, with Boxes, Baskets, or Cruives, or be fished by means of existing natural or artificial Obstruction stopping the Fish, or by Draft, Pole, Loop, or other Nets, or by Rod and Line, or by any other Means or Device whatsoever, the Persons using, occupying, or holding such Fisheries, whether such Occupation and holding shall be by Lease, Demise, Agreement, or Tenancy at Will, or in Fee Simple, Fee Tail, or for Life, shall in each Year pay as an annual Rate, in two equal half-yearly Gales, on the First Day of February and the First Day of July, in every Year after the passing of this Act, such Sum in addition to the Licence Duty by this Act provided to be paid for the Engines, Instruments, Nets, or Devices erected or used in fishing such Fishery, as shall be equal to the Amount of the Difference between the Sums paid by such respective Persons for such Licence Duty or Duties as aforesaid, and the annual Sum of Ten *per Centum* upon the Poor Law Valuation of such Fishery, subject to such Alteration of such Per-centage as may from Time to Time be made by the Board of Conservators of the District under the Provisions of this Act^a."

Valuation of
"Several
Fisheries."

"§ 25. And be it enacted, That in any Cases where any such Fisheries as last aforesaid^b may not be or have not been valued by the Persons appointed as Valuers for the Purposes of the Poor Laws in force in Ireland, the said Commissioners^c, on the Application of the Board of

^a See 13 & 14 Vic. c. 88, § 7 (p. 395), by which these provisions as to "Several Fisheries" are extended to all productive Fisheries which may be rated for the relief of the poor at any time.

^b § 23.

^c i.e., Commissioners of Fisheries.

Conservators, may and are hereby empowered to call upon the Poor Law Commissioners of Ireland to cause the same to be valued separately and distinctly from other Property for the Purposes of this Act."

FISHERIES
ACTS.

EXTRACTS from 13 & 14 Vict. Cap. 88.

13 & 14 Vic.
c. 88.

§ 1. . . "The word 'Fisheries' shall mean and include all Fisheries, whether Several or Public; and the words 'Several Fisheries' shall mean and include all Fisheries lawfully possessed and enjoyed as such under any Title whatsoever, being a good and valid Title at law, exclusively of the public, by any Person or Persons. whether in Navigable Waters or in Waters not navigable, and whether the Soil covered by such Waters be vested in such Person or Persons, or in any other Person or Persons."

Definition of
"Fisheries"
and "Several
Fisheries."

"§ 7. And whereas by the said recited Act of the Twelfth Year of the Queen it is provided, That in the case of certain fixed and established Fisheries which are designated Several Fisheries, the same are liable, in addition to the Licence Duty provided by the said Act to be paid for the Engines used in fishing such Fishery, to such Sum as an annual Rate as shall be equal to the Amount of the Difference between the Sums paid by such respective Persons for such Licence Duty or Duties as aforesaid, and the annual Sum of Ten per Cent. upon the Poor Law Valuation of such Fishery, subject to such Alteration of such per Centage as may from Time to Time be made by the Board of Conservators of the District under the Provisions of the said Act: And whereas it is expedient that the said Liability should be extended to all productive Fisheries which may be rated for the Relief of the Poor at any Time: Be it therefore enacted, That all Salmon, Trout, and Eel Fisheries whatsoever, so rated for the Relief of the Poor, whether possessed as Several Fisheries, as so designated in an Act of the Sixth Year of Her present Majesty's Reign, intituled '*An Act to regulate the Irish Fisheries*',^a or this Act, or otherwise, shall be liable to the same annual Sum or Rate as aforesaid on the Poor Law Valuation, as those Fisheries designated Several Fisheries: Provided always, that such rating shall not confer a Right or Title to any such Fisheries as Several Fisheries, or any other Right or Title which the Persons possessing them would not have possessed if this Act had not passed: Provided also that such Rate shall be recoverable in like Manner as the same Rate on Several Fisheries."

All productive Fisheries rated under Poor Law, to pay the same fishery Rate, in addition to Licence duty, as Several Fisheries.

^a 11 & 12 Vic. c. 92, § 23 (p. 394).

^b 5 & 6 Vic. c. 106 (p. 393).

MARRIAGE REGISTRATION.

7 & 8 VIC.
c. 81,
MARRIAGE
ACT.

7 & 8 VICT. CAP. 81.

An Act for Marriages in Ireland, and for Registering such Marriages.

[*Passed, 9th August 1844.*]

EXTRACTS *concerning Boards of Guardians, Clerks of Unions, &c.*

Notices of Marriages received by District Registrar to be sent to Clerk of Union before each meeting of Guardians: Clerk to read such Notices at three successive meetings:

or at any meeting within 21 days, if weekly meetings be not held.

Publication by Guardians

“§ 15. AND be it enacted, That, on the Day previous to each weekly Meeting of the Guardians of any Poor Law Union, or of any Parish or Place comprised in the District for which such Registrar shall act, the Registrar shall transmit to the Clerk to the Guardians all such Notices of intended Marriage as he shall have received on or since the Day previous to the weekly Meeting immediately preceding the same; and such Clerk shall read such Notices immediately after the Minutes of the Proceedings of such Guardians at their last Meeting shall have been read; and such Notices shall be so read three several Times in three successive Weeks at the weekly Meetings of such Guardians, unless in any Case Licence for Marriage shall be sooner granted, and Notice of such Licence being granted shall have been given to such Clerk: Provided also, that if it shall happen that the Board of Guardians of any such Union, Parish, or Place shall not so meet, it shall be sufficient for the Purposes of this Act, that such Notices shall be read at every Meeting of such Guardians which shall be held within Twenty-one Days from the Day of such Notice being entered; and if no Meeting be held within Twenty-one Days from the Day of such Notice being entered, the Entry of such Notice shall be sufficient for the Purposes aforesaid.”

“§ 82. And be it enacted, that the said Registrar-General shall, within Three Calendar Months after his

a The reading of the Notices should be recorded in the Minutes of proceedings at the Board of Guardians, in which, also, in the event of there being no meeting on the ordinary day of meeting, that fact will of course be recorded in conformity with Article 6 of the General Order of 19 Jan. 1852, for regulating their proceedings (Part II. 2). Another section of the present act directs that “the Registrar shall file all such notices, and keep them with the records of his office, and shall also forthwith enter a true copy of all such notices fairly into a book, to be for that purpose furnished to him by the Registrar-General, to be called The Marriage Notice Book,” (§ 14): and in order to enable the Registrar to file and keep them with other records of his office, it has been considered that they should be returned by the Clerk of the Union to the Registrar for that purpose, as soon as the requirements of § 15 have been complied with. See circulars to Clerks of Unions, in reference to their duties under this act, (Part III. 3.)

Appointment to such Office, furnish to the respective Guardians of every Union, Parish, or Place, printed Notices, which the said Guardians shall, as soon as conveniently may be after the Receipt thereof, cause to be fixed or placed on the Outside of the several Church and Chapel Doors, or other public and conspicuous Buildings or Places within their respective Unions, Parishes, or Places; and which said Notices shall specify the several Acts required to be done by Persons who may be desirous of solemnizing Marriage under the Provisions of this Act."

7 & 8 Vic.
c. 81,
MARRIAGE
ACT.

of Notices of
acts to be
done by
Parties
marrying
under this
Act.

UNION CLERKS' DUTIES, UNDER STANDING ORDERS OF PARLIAMENT.

The Parliamentary Standing Orders, in the case of 1 Vic. c. 83. Railway Bills, &c., require, amongst other things, that plans, sections, and book of reference for each parish, in or through which the proposed works are to be made, should be deposited with the Clerk of each Union (in Ireland) within which the parish or part of it may be included. And the Clerks of Unions are to receive and retain such or other documents so required to be deposited with them, doubtless for the purpose of their being kept open for public inspection and use as provided in § 2. But there appears to be an omission of any reference to Clerks of Unions, either specifically or by general words, in that section, the provisions of which require the other local officers therein named to permit such inspection, and allow extracts or copies to be made, on receipt of the fees awarded to them for the same. Clerks of Unions, however, like the other officers, are subject to a penalty, under § 3, for any refusal, neglect, or failure to comply with the provisions of the act, so far as applying to them.

Union
Clerks' Du-
ties under
Standing
Orders of
Parliament.

1 VICT. CAP. 83.

An Act to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament.

[*Passed, 17th July 1837.*]

"WHEREAS the Houses of Parliament are in the habit of requiring that, previous to the Introduction of any Bill into Parliament for making certain Bridges, Turnpike Roads, Cuts, Canals, Reservoirs, Aqueducts,

1 Vic. c. 83. "Waterworks, Navigations, Tunnels, Archways, Railways, Piers, Ports, Harbours, Ferries, Docks and other Works, to be made under the Authority of Parliament, certain Maps or Plans and Sections, and Books and Writings, or Extracts or Copies of or from certain Maps, Plans, or Sections, Books and Writings, shall be deposited in the Office of the Clerk of the Peace for every County, Riding, or Division in *England* or *Ireland*, or in the Office of the Sheriff Clerk of every County in *Scotland*, in which such Work is proposed to be made, and also with the Parish Clerk of every Parish in *England*, the Schoolmaster of every Parish of *Scotland*, or in Royal Burghs with the Town Clerk, and the Postmaster of the Post Town in or nearest to every Parish in *Ireland*, in which such Work is intended to be made, and with other Persons^a: And whereas it is expedient that such Maps, Plans, Sections, Books, Writings, and Copies or Extracts of and from the same, should be received by the said Clerks of the Peace, Sheriff Clerks, Parish Clerks, Schoolmasters, Town Clerks, Postmasters, and other Persons^a, and should remain in their Custody for the Purposes herein-after mentioned:" Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whenever either of the Houses of Parliament shall by its Standing Orders, already made or hereafter to be made, require that any such Maps, Plans, Sections, Books, or Writings, or Extracts or Copies of the same, or any of them, shall be deposited as aforesaid, such Maps, Plans, Sections, Books, Writings, Copies, and Extracts, shall be received by and shall remain with the Clerks of the Peace, Sheriff Clerks, Parish Clerks, Schoolmasters, Town Clerks, Postmasters, and other Persons^a with whom the same shall be directed by such Standing Orders to be deposited; and they are hereby respectively directed to receive and to retain the Custody of all such Documents and Writings so directed to be deposited with them respectively, in the Manner, and for the Purposes, and under the Rules and Regulations concerning the same respectively directed by such Standing Orders, and shall make such Memorials and Endorsements on and give such Acknowledgments and Receipts in respect of the same respectively as shall be thereby directed.

2. And be it further enacted, That all Persons interested shall have Liberty to, and the said Clerks of the Peace, Sheriff Clerks, Parish Clerks, Schoolmasters, Town Clerks, and Postmasters^b, and every of them, are and is hereby required, at all reasonable Hours of the

^a Including Clerks of Unions in Ireland, who are referred to in the Standing Orders; see observations in p. 397.

^b Clerks of Unions are not mentioned amongst the officers here enumerated; see note ^a in next page.

Union Clerks' Duties under Standing Orders of Parliament.

Clerks, &c., to receive the Documents herein mentioned, and retain them for the Purposes directed by the Standing Orders of the Houses of Parliament.

Clerks of the Peace, &c., to permit such Documents to be inspected or

Day, to permit all Persons interested to inspect, during a reasonable Time, and make Extracts from or Copies of the said Maps, Plans, Sections, Books, Writings, Extracts and Copies of or from the same, so deposited with them respectively^a, on Payment by each Person to the Clerk of the Peace, Sheriff Clerk, Clerk of the Parish, Schoolmaster, Town Clerk, or Postmaster^b having the Custody of any such Map, Plan, Section, Book, Writing, Extract, or Copy, One Shilling for every such Inspection, and the further Sum of One Shilling for every Hour during which such Inspection shall continue after the first Hour, and after the Rate of Sixpence for every One hundred Words copied therefrom.

1 Vic. c. 83.

copied by
Persons
interested :

3. And be it further enacted, That in case any Clerk of the Peace, Sheriff Clerk, Parish Clerk, Schoolmaster, Town Clerk, Postmaster, or other Person^c shall in any Matter or Thing refuse or neglect to comply with any of the Provisions herein-before contained, every Clerk of the Peace, Sheriff Clerk, Parish Clerk, Schoolmaster, Town Clerk, Postmaster, or other Person shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Five Pounds; and every such Penalty shall, upon Proof of the Offence before any Justice of the Peace for the County within which such Offence shall be committed, or by the Confession of the Party offending, or by the Oath of any credible Witness, be levied and recovered, together with the Costs of the Proceedings for the Recovery thereof, by Distress and Sale of the Goods and Effects of the Party offending, by Warrant under the Hand of such Justice, (which Warrant such Justice is hereby empowered to grant,) and shall be paid to the Person or Persons making such Complaint; and it shall be lawful for any such Justice of the Peace to whom any Complaint shall be made of any Offence committed against this Act to summon the Party complained of before him, and on such Summons to hear and determine the Matter of such Complaint in a summary Way, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing

Clerks, &c.,
for every
Omission to
comply with
the Provi-
sions of this
Act, liable to
the Penalty
of 5*l.*, to be
recovered in
a summary
Way :

and paid to
complainant.

^a The words employed in this section give the liberty to inspect and take extracts or copies of documents deposited with "Clerks of the Peace, Sheriff Clerks, Parish Clerks, Schoolmasters, Town Clerks, and Postmasters;" and they are entitled to the Fees provided for the same. Clerks of Unions are not specified in this section, nor included in it by the general words "or other person," which are used in the previous section. These general words are used also in § 3, under which the Clerk of a Union would be liable to a penalty for refusing or neglecting to comply with "any of the provisions hereinbefore contained;" and this penalty would apply in case of refusal to comply with the requirements of § 1, in which the general words employed include Clerks of Unions referred to in the Standing Orders.

^b Clerks of Unions are not mentioned amongst the officers here enumerated; see preceding note ^a.

^c Including Clerks of Unions in Ireland, under the Standing Orders.

1 VIC. c. 83. or in Print shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing had been exhibited.

OFFENCES, &c.

OFFENCES,
&c.

14 & 15 VICT. CAP. 92.

An Act to consolidate and amend the Acts relating to certain Offences and other Matters as to which Justices of the Peace exercise Summary Jurisdiction in Ireland.

14 & 15 VIC.
c. 92,
SUMMARY
JURISDIC-
TION ACT,
1851.

This act, passed 7th August, 1851, and called "the Summary Jurisdiction (Ireland) Act, 1851," amongst offences enumerated therein, provides (§ 3, No. 7) that

Breaking
Windows of
Workhouse,
or doing
other Injury
under 40s. to
Union
Property.

"Any person who shall unlawfully and wilfully break any Pane of Glass in the Windows of any Workhouse of a Poor Law Union, or damage or destroy any of the Furniture, Clothes, or other Property of the Guardians* of the Poor of any Poor Law Union, the Injury done being under the Value of Forty Shillings, shall be liable to a Fine not exceeding the Sum of Forty Shillings, or to be imprisoned for a Term not exceeding One Month."—(§ 3, No. 7.)

14 & 15 VIC.
c. 93,
PETTY
SESSIONS
ACT,
1851.

14 & 15 VICT. CAP. 93.

An Act to consolidate and amend the Acts regulating the proceedings at Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions in Ireland.

Clerks of
Unions and
Collectors
of Poor
Rates, &c.,
not to be
Clerks of
Petty
Sessions;
under penalty
of £20 and
loss of office.

This act, passed 7th August, 1851, and called "the Petty Sessions (Ireland) Act, 1851," provides, amongst other matters, in reference to the office of Clerk of Petty Sessions, as follows:—

"§ 4. The said Clerk shall hold the said Office of Clerk of Petty Sessions subject to the following Provisions:—

"1. He shall not, during the Time that he shall hold such Office, practise as an Attorney or Solicitor in any Case either at such Petty Sessions or at the Quarter

a § 27 of 1 & 2 Vic. c. 56, declares that "all the Monies levied by Rates under the Provisions of this Act within each Union and all Goods and Chattels purchased with such Monies, or otherwise taken and held for the purposes of this Act within such Union, shall be deemed at Law to be the Property of the Board of Guardians" (p. 22). See provisions as to the description of the property in goods belonging to Board of Guardians, in the Petty Sessions Act 1851, 14 & 15 Vic. c. 93, § 38 (p. 402).

Sessions of the Division of the County in which such Petty Sessions shall be situated, nor shall he act as the Clerk of any Attorney or Solicitor so practising, or as the Clerk of a Poor Law Union, or as a Collector of any Public Tax, or as a Pound-keeper, or as the Keeper or Partner in Keeping any Inn or Public-house, nor shall he engage in any other Business or Occupation which shall appear to the Lord Lieutenant or to the Justices to be inconsistent with his Duties as Petty Sessions Clerk; or if he shall so act or engage, he shall *ipso facto* cease to hold such Office of Petty Sessions Clerk, and shall also be liable to the Penalties herein-after provided^a. . . .

OFFENCES,
&c.
—
14 & 15 VIC.
c. 93,
PETTY
SESSIONS
ACT,
1851.
—

§ 10 contains provisions as to the reception by a Justice of the Peace of informations as to offences punishable upon indictment or summary conviction, and provides as follows as to the reception of complaints in civil cases :—

“ § 10. Whenever a Complaint shall be made to any Justice as to any other Matter arising within the Limits of his Jurisdiction, upon which he shall have Power to make a Summary Order, it shall be lawful for such Justice to receive such Information or Complaint, and to proceed in respect to the same, subject to the following Provisions :—

Complaints for recovery of Poor Rate, &c., may be made at any time after the date of the Collecting Warrant, &c.

“ 1. Whenever it is intended that a Summons only shall issue to require the Attendance of any Person, the Information or Complaint may be made either with or without Oath, and either in Writing or not, according as the Justice shall see fit. * * *

“ 4. In all Cases of Summary Jurisdiction the Complaint shall be made (when it shall relate to the Non-payment of any Poor Rate, County Rate, or other public Tax), at any Time after the date of the Warrant authorizing the Collection of the same.”

“ § 35. Any of the Officers or Persons herein-after mentioned who shall commit any of the Offences or Neglects herein-after mentioned, and who shall be convicted thereof before any two Justices of the County sitting at Petty Sessions, shall be liable to forfeit for every such Offence or Neglect the Penalties herein-after mentioned; (that is to say), * * *

Penalties:

“ Any Person who whilst he shall hold the Office of Petty Sessions Clerk shall practise as an Attorney or Solicitor in any case at such Petty Sessions or at the Quarter Sessions of the Division of the County in which such Petty Sessions shall be situated, or who shall act as the Clerk of any Attorney or Solicitor so practising, or as the Clerk of a Poor Law Union, or as a Collector of any Public Tax, or as a Pound keeper, or as the Keeper or Partner in

for Clerk of Petty Sessions acting as Clerk of Union or Collector of Rates, &c.

^a § 35 (p. 401-2).

OFFENCES,
&c.14 & 15 Vic.
c. 93.Description
of the
Property in
goods pro-
vided by
Guardians,
&c.:
of the
property of
Commis-
sioners, &c.

Keeping any Inn or Public-house, or who shall engage in any other Business or Occupation which the Justices or the Lord Lieutenant shall have forbidden as inconsistent with his Duties as Petty Sessions Clerk, shall be liable to a Penalty not exceeding Twenty Pounds^a."

"§ 38. It shall be sufficient, in any Information or Complaint, or the Proceedings thereon, to describe *
* * * any Goods provided by Guardians of the Poor or their Officers respectively for the Use of the Poor, as the Goods of the Guardians of the Poor of the Union to which the same belong, without naming any of them^b; * * * and any Property of any Persons described in any Act of Parliament, or in any Charter or Letters of Incorporation, as Commissioners, Directors, Trustees, or by any other general Designation whatsoever, as the Property of such Commissioners, Directors, Trustees or Persons described by such other general Designation, without naming them; and whenever it may be necessary to mention any of such Persons or Parties in any Suit, Information, or Complaint, it shall be sufficient to describe them in Manner aforesaid."

EVIDENCE.

In § 121 of the original Irish Poor Relief Act, 1 & 2 Vic. c. 56^c, it was provided that all Orders or Copies thereof, purporting to be sealed or stamped with the Seal of the Poor Law Commissioners, should be received without further proof, as evidence of such orders and of their having been duly made and issued; and that no order or copy should be receivable in Evidence as valid, without the Seal of the Commissioners. Like provisions are made in the act of 1847, 10 & 11 Vic. c. 90, reconstituting the Commission (§ 3^d); and under § 10 of that act, the Commissioners for administering the Laws for Relief of the Poor in Ireland are incorporated^e.

The following are provisions from two other acts, which appear to be applicable to such documents bearing the seal of the Commissioners. They appear in like manner applicable to Contracts, Rate Books, &c., executed and signed in manner provided in the respective statutes, by a Board of Guardians, who are made a Cor-

^a And vacates office under § 4 (p. 401).

^b See § 27 of 1 & 2 Vic. c. 56, incorporating the Board of Guardians, who as well as Vice-Guardians are to be "called by the name of 'The Guardians of the Poor of the ——— Union,'" (p. 21).

^c p. 92.

^d p. 158.

^e p. 161.

poration by § 27 of 1 & 2 Vic. c. 56 (p. 21): in reference to the mode of executing such documents by Boards of Guardians, see 1 & 2 Vic. c. 56, § 28, 73; 6 & 7 Vic. c. 92, § 10; and elsewhere.

Any doubt which might have existed as to applicability of the first of the two following acts to Ireland, appears to be removed by the second, 14 & 15 Vic. c. 99.

8 & 9 VICT. CAP. 113.

An Act to facilitate the Admission in Evidence of certain official and other Documents,

EVIDENCE.

8 & 9 VIC.,
c. 113,
1845.

EXTRACTS.

“ § 1. WHEREAS it is provided by many Statutes, that various Certificates, official and public Documents, Documents and Proceedings of Corporations and of Joint Stock and other Companies, and certified Copies of Documents, Bye Laws, Entries in Registers and other Books, shall be receivable in Evidence of certain Particulars, in Courts of Justice, provided they be respectively authenticated in the Manner prescribed by such Statutes: And whereas the beneficial Effect of these Provisions has been found by Experience to be greatly diminished by the Difficulty of proving that the said Documents are genuine; and it is expedient to facilitate the Admission in Evidence of such and the like Documents: Be it therefore enacted by &c., that whenever by any Act now in force or hereafter to be in force, any Certificate, official or public Document, or Document or Proceeding of any Corporation^a or Joint Stock or other Company, or any certified Copy of any Document, Bye Law, Entry in any Register or other Book, or of any other Proceeding, shall be receivable in Evidence of any Particular in any Court of Justice, or before any legal Tribunal, or either House of Parliament, or any Committee of either House, or in any judicial Proceeding, the same shall respectively be admitted in Evidence, provided they respectively purport to be sealed or impressed with a Stamp, or sealed and signed, or signed alone, as required. or impressed with a Stamp and signed, as directed by the respective Acts^b made or to be hereafter made, without any Proof of the Seal or Stamp, where a Seal or Stamp is necessary, or of the Signature or of the official Character of the Person appearing to have signed the same, and without

Documents
to be received
in Evidence
without Proof
of Seal or
Signature,
&c., of
Persons
signing the
same.

^a Corporations: see § 27 of 1 & 2 Vic. c. 56, as to Boards of Guardians (p. 21), and § 10 of 10 & 11 Vic. c. 90, as to the Commissioners, (p. 161.)

^b See § 28, 73 of 1 & 2 Vic. c. 56, and § 10 of 6 & 7 Vic. c. 92, as to the mode of executing Contracts, Rate Books, &c., by Guardians; and § 3, 17, 18 of 10 & 11 Vic. c. 90, as to Commissioners' orders, &c.

EVIDENCE.

8 & 9 VIC.
c. 113,
1845.

Persons
forging Seal,
Stamp, or
Signature,
&c., guilty
of Felony.

Documents
given in
evidence
may be
impounded.

Not to extend
to Scotland

any further Proof thereof, in every Case in which the original Record could have been received in Evidence."

"4. Provided always, and be it enacted, That if any Person shall forge the Seal, Stamp, or Signature of any such Certificate, official or public Document, or Document or Proceeding of any Corporation or Joint Stock or other Company, or of any certified Copy of any Document, Bye Law, Entry in any Register or other Book, or other Proceeding as aforesaid, or shall tender in Evidence any such Certificate, official or public Document, or Document or Proceeding of any Corporation or Joint Stock or other Company, or any certified Copy of any Document, Bye Law, Entry in any Register or other Book, or of any other Proceeding, with a false or counterfeit Seal, Stamp, or Signature thereto, knowing the same to be false or counterfeit, whether such Seal, Stamp, or Signature be those of or relating to any Corporation or Company already established, or to any Corporation or Company to be hereafter established, or if any Person shall forge the Signature of any such Judge as aforesaid to any Order, Decree, Certificate, or other judicial or official Document, or shall tender in Evidence any Order, Decree, Certificate, or other judicial or official Document with a false or counterfeit Signature, of any such Judge as aforesaid thereto, knowing the same to be false or counterfeit, or if any Person shall print any Copy of any Private Act or of the Journals of either House of Parliament, which Copy shall falsely purport to have been printed by the Printers to the Crown, or by the Printers to either House of Parliament, or by any or either of them, or if any Person shall tender in Evidence any such Copy, knowing that the same was not printed by the Person or Persons by whom it so purports to have been printed, every such Person shall be guilty of Felony, and shall upon Conviction be liable to Transportation for Seven Years, or to Imprisonment for any Term not more than Three nor less than One Year, with hard Labour: Provided also, that whenever any such Document as before mentioned shall have been received in Evidence by virtue of this Act, the Court, Judge, Commissioner, or other Person officiating judicially who shall have admitted the same, shall, on the Request of any Party against whom the same is so received, be authorized, at its or at his own Discretion, to direct that the same shall be impounded, and be kept in the Custody of some Officer of the Court or other proper Person, until further Order touching the same shall be given, either by such Court, or the Court to which such Master or other Officer belonged, or by the Persons or Person who constituted such Court, or by some One of the Equity or Common Law Judges of the Superior Courts at *Westminster*, on Application being made for that Purpose.

"5. And be it enacted, That this Act shall not extend to *Scotland*."

14 & 15 VICT. CAP. 99.

An Act to amend the Law of Evidence.

EVIDENCE.

14 & 15 Vic.,
c. 99,
1851.

EXTRACTS.

"2. On the Trial of any Issue joined, or of any Matter or Question, or on any Inquiry arising in any Suit, Action, or other Proceeding in any Court of Justice, or before any Person having by Law, or by Consent of Parties, Authority to hear, receive, and examine Evidence, the Parties thereto, and the Persons in whose Behalf any such Suit, Action, or other Proceeding may be brought or defended, shall, except as herein-after excepted, be competent and compellable to give Evidence, either *vivâ voce* or by Deposition, according to the Practice of the Court, on behalf of either or any of the Parties to the said Suit, Action, or other Proceeding.

Parties to be
admissible
Witnesses.]

"3. But nothing herein contained shall render any Person who in any criminal Proceeding is charged with the Commission of any indictable Offence, or any Offence punishable on summary Conviction, competent or compellable to give Evidence for or against himself or herself, or shall render any Person compellable to answer any Question tending to criminate himself or herself, or shall in any criminal Proceeding render any Husband competent or compellable to give Evidence for or against his Wife, or any Wife competent or compellable to give Evidence for or against her Husband."

Person
charged with
criminal
Offence, and
Husband or
Wife, not
compelled or
competent
to give
evidence, &c.

"9. Every Document which by any Law now in force or hereafter to be in force is or shall be admissible in Evidence of any Particular in any Court of Justice in *England or Wales* without Proof of the Seal or Stamp or Signature authenticating the same, or of the judicial or official Character of the Person appearing to have signed the same, shall be admitted in Evidence to the same Extent and for the same Purposes in any Court of Justice in *Ireland*, or before any Person having in *Ireland* by Law or by Consent of Parties Authority to hear, receive, and examine Evidence, without Proof of the Seal or Stamp or Signature authenticating the same, or of the judicial or official Character of the Person appearing to have signed the same.

Documents
admissible
without
Proof of
Seal, &c.,
in *England*
or *Wales*,
equally ad-
missible in
Ireland,

"10. Every Document which by any Law now in force or hereafter to be in force is or shall be admissible in Evidence of any Particular in any Court of Justice in *Ireland* without Proof of the Seal or Stamp or Signature authenticating the same, or of the judicial or official Character of the Person appearing to have signed the same, shall be admitted in Evidence to the same Extent and for the same Purposes in any Court of Justice in *England or Wales*, or before any Person having in *England or Wales*, by Law or by Consent of Parties, Authority to hear, receive, and examine Evidence, without Proof of the Seal or Stamp or Signature authenticating the same, or

Documents
admissible
without
Proof of
Seal, &c.,
in *Ireland*,
equally
admissible
in *England*
and *Wales*.

EVIDENCE.

14 & 15 Vic.
c. 99,
1851.

Examined
or certified
Copies of
Documents
admissible
in Evidence.

of the judicial or official Character of the Person appearing to have signed the same."

"14. Whenever any Book or other Document is of such a public Nature as to be admissible in Evidence on its mere Production from the proper Custody, and no Statute exists which renders its Contents provable by means of a Copy, any Copy thereof or Extract therefrom shall be admissible in Evidence in any Court of Justice, or before any Person now or hereafter having by Law or by Consent of Parties Authority to hear, receive, and examine Evidence. provided it be proved to be an examined Copy or Extract, or provided it purport to be signed and certified as a true Copy or Extract by the Officer to whose Custody the Original is intrusted, and which Officer is hereby required to furnish such certified Copy or Extract to any Person applying at a reasonable Time for the same, upon Payment of a reasonable Sum for the same, not exceeding Fourpence for every Folio of Ninety Words.

Certifying a
false Copy,
a Mis-
demeanor.

"15. If any Officer authorized or required by this Act to furnish any certified Copies or Extracts shall wilfully certify any Document as being a true Copy or Extract, knowing that the same is not a true Copy or Extract, as the Case may be, he shall be guilty of a Misdemeanor, and be liable, upon Conviction, to Imprisonment for any Term not exceeding Eighteen Months."

Forging Seal,
Stamp, or
Signature of
Documents,
or wilfully
uttering
same, Felony.

"17. If any Person shall forge the Seal, Stamp, or Signature of any Document in this Act mentioned or referred to, or shall tender in Evidence any such Document with a false or counterfeit Seal, Stamp, or Signature thereto, knowing the same to be false or counterfeit, he shall be guilty of Felony, and shall upon Conviction be liable to Transportation for Seven Years, or to Imprisonment for any Term not exceeding Three Years nor less than One Year, with Hard Labour; and whenever any such Document shall have been admitted in Evidence by virtue of this Act, the Court or the Person who shall have admitted the same may, at the Request of any Party against whom the same is so admitted in Evidence, direct that the same shall be impounded and be kept in the Custody of some Officer of the Court or other proper Person for such Period and subject to such Conditions as the said Court or Person shall seem meet; and every Person who shall be charged with committing any Felony under this Act, or under the Act of the Eighth and Ninth Years of Her present Majesty, Chapter One Hundred and thirteen, may be dealt with, indicted, tried, and, if convicted, sentenced, and his Offence may be laid and charged to have been committed, in the County, District, or Place in which he shall be apprehended or be in Custody; and every Accessory before or after the Fact to any such Offence may be dealt with, indicted, tried, and, if convicted, sentenced, and his Offence laid and charged to have been committed, in any County, District, or Place in which the principal Offender may be tried.

"18. This Act shall not extend to *Scotland*."

8 & 9 Vic. c.
113 (p. 403).

MUNICIPAL ACTS, VALUATIONS, &c.

9 GEO. 4, CAP. 82.

An Act to make Provision for the Lighting, Cleansing, and Watching, of Cities, Towns Corporate, and Market Towns, in Ireland.

9 GEO. 4,
c. 82,
MUNICIPAL
ACT,
1828.

This act (passed 25th July, 1828), repealed such parts of prior statutes specified in § 1, as related to the lighting, cleansing, and watching, of any Cities, Towns Corporate, or Market Towns in Ireland.

The adoption and putting in operation of the act was made optional, and dependent upon the decision of the qualified Ratepayers of the place, who might in public meeting, convened under the authority of the Lord Lieutenant on application made, and in manner provided, determine whether the act should be adopted or not, and whether in whole or in part, and what part. Proceedings under this act may however be superseded, as the act itself is for the future, by the provisions of the Towns Improvement Act, 1854, hereafter referred to.

The following is a List of Towns in Ireland (and the Unions wherein situate, the name of the town being also the name of the Union where not otherwise expressed,) in which, according to returns which have been made, the act 9 Geo. 4, c. 82, has at various times been brought into operation, for all or some of its purposes, and in which Local Commissioners have from time to time been appointed under its provisions, but in some of which such Commissioners may not now exist, or may have been replaced by Commissioners elected under the Towns Improvement Act of 1854:—

Ardee,*	Ballymoney,	Cashel,*
Armagh,	Ballyshannon,	Castleblaney,*
Athlone,*	Banbridge,	Cavan,*
Athy,	Bandon,	Charleville, (Kilmal-
Aughnacloy* (Clogher	Belturbet* (Cavan Un.)	lock Union,)
Union),	Caher (Clogheen Un.),	Clogher,
Balbriggan, (Balro-	Callan,*	Clonakilty,
thery Union),	Carrick-on-Suir,*	Clonmel,*
Ballinasloe,	Carrickfergus (Larne	Coleraine,
Ballymena,*	Union),	Downpatrick,

9 GEO. 4, c. 82, MUNICIPAL ACT, 1828.	Dromore*(Banbridge Union),	Loughrea,	Portadown,*(Lurgan Union),
	Dundalk,*	Lurgan,*	Roscommon,*
	Dungannon,	Mallow,	Strabane,
	Ennis,	Maryboro',*(Mountmellick Union,)	Tanderagee, (Banbridge Union,)
	Enniscorthy,*	Mitchelstown,	Thurles,
	Enniskillen,	Monaghan,	Tipperary,
	Fethard(Cashel Un.),	Moy(Dungannon Un.)	Tralee,
	Hollywood (Belfast Union),	Nenagh,	Trim,*
	Kells,*	New Ross,*	Tuam,*
	Kinsale,	Newry,	Westport,
	Larne,	Newtownards,	Wicklow, (Rathdrum Union,)
	Lisburn,	Newtownlimavady,*	Youghal.
	Longford,*	Omagh,	
		Parsonstown,	

If in any town in which the act of 9 Geo. 4, c. 82, is in force, the provisions of the Towns Improvement Act, 1854 (17 & 18 Vic. c. 103, p. 456), be adopted for any of its purposes, the former act (9 Geo. 4, c. 82,) is not to remain in force in such town after the First Election of Commissioners under the Towns Improvement Act, except as to engagements previously contracted; and the powers and duties of the Commissioners under the former act are transferred to those elected under the latter. And after the "commencement" of the latter act, no meeting can be convened for carrying into effect the act of 9 Geo. 4, c. 82, which is for the future virtually repealed, except in towns in which it is already in force, and which do not adopt the later act of 1854, according to the provisions of § 17 and 19 of Towns Improvement Act, 1854, 17 & 18 Vic., c. 103.

(*) In the towns marked with an asterisk in the foregoing list, the provisions of the Towns Improvement Act, 1854, have since been adopted, and the present act of 9 Geo. 4, c. 82, is therefore inoperative therein for any future proceedings. In the towns, the names of which are printed in *Italic*, application has been made to the Lord Lieutenant to order a meeting to consider as to the adoption of the Towns Improvement Act, and in some of them the meeting had been ordered, but up to the time of printing this portion of the present (29 Feb. 1856,) work there is no notification in the *Gazette* of the adoption of the act in these towns.

The following is a brief Abstract of the provisions of the act of

9 GEO. 4, CAP. 82.

§ 1 repeals previous acts.

§ 2 provided that on the application of Twenty-one or

9 GEO. 4,
c. 82,
MUNICIPAL
ACT,
1828.

more £20 Householders residing in any Town, &c., in Ireland, the Lighting, Watching, Cleansing, or Paving of which was not provided for by or under any Act of Parliament, the Lord Lieutenant might authorize the carrying this act into execution^a, and direct that a Meeting be convened for the purpose; a copy of Orders and Directions for this purpose, with the names of the parties signing the application for the same, being published in the *Dublin Gazette*, and in some Newspaper or Newspapers published in the locality: Notice of the Meeting to be given by being affixed on Doors of Churches, &c., within Ten Days after receipt of the orders, and the Meeting to be held Twenty-one Days after the notice (§ 3). The qualification for voting at such meetings was founded on the Vestry Rate. Inhabitants assessed upon a valuation of £5 therein being entitled to vote (§ 4): and the qualification of the Local Commissioners eligible under the act was in like manner founded on assessment in the vestry rate on a valuation of £20 (§ 11). But under the subsequent act of 6 & 7 Vic., c. 93, § 12 (p. 446-7), the qualification for voting or being elected a Commissioner by being assessed in the Vestry Rate, is repealed; and further provision was made in § 13, 14 of that act (p. 447), by which the qualification was founded on the poor rate. "The Mayor, Chief Magistrate, or Justices, (as the case may be)," to preside at any such meeting, and "the persons assembled thereat to determine, by plurality of votes, whether the provisions of this act, as herein-after set forth, for the several purposes of lighting, watching, cleansing, paving, and the other purposes of the same, shall or shall not be adopted and acted upon within such City, Town Corporate, Borough, Market Town, or other Town, and the Liberties and Suburbs thereof, or any Part of such Liberties and Suburbs" (§ 8).

§ 9 declares, that if the Meeting determine against adopting the provisions of this act, it shall be adjourned *sine die*, not to be again convened for Three Years from the time of adjournment, and so *toties quoties* every three years. This provision was, however, modified by § 21 of 6 & 7 Vic. c. 93 (p. 451), under which application might in certain cases be made for the adoption of the act, although three years might not have elapsed since a meeting previously held. Under § 10, the meeting could adopt the provisions of this act for any one or more of the purposes thereof; in such case, the act was to be applied to such purposes only, but might be afterwards extended to the other purposes. These provisions are now superseded by the Towns Improvement Act, 1854.

§ 11 provides that "if at any such Meeting it shall be If Meeting

^a For towns in which the act has been brought into operation, see p. 407-8.

9 GEO. 4,
c. 82,
MUNICIPAL
ACT,
1828.

determine to
proceed in
execution of
this act,
Municipal
Commission-
ers to be
elected :

determined that the provisions of this act shall be adopted for all or any of the purposes of this act, then, and in such case it shall forthwith be determined at such Meeting that a number of Commissioners, not being less than Nine nor more than Twenty-one, shall be elected to carry such purposes into effect, and upon such determination such number of Commissioners shall be elected in manner herein-after mentioned;" the qualification of Commissioners being founded on the Vestry Rate, and afterwards, under § 13. & 14 of 6 & 7 Vic., c. 93 (p. 447), on the Poor Rate, and persons assessed upon £20 valuation being qualified. § 12 provides for the mode of Election of the Commissioners, and expenses of the elections. Under § 13, the Mayor, &c., may be a Commissioner in right of his office. § 14 enacts that the Commissioners are to go out of office on 31st July, in every Third Year; but may be re-elected.

§ 15, 17, 18, contain provisions as to property vesting in the Local Commissioners for the time being, and for filling up vacancies in their numbers.

The Town Commissioners were also to define the limits of the town or district for the purposes of the act, and to keep a register of resident householders qualified to vote or to be Commissioners (§ 21); and in framing this registry, they were required by the later act of 1843 (6 & 7 Vic. c. 93, § 15, p. 448,) to have regard to the Poor Law Valuation, upon which it was directed to be founded.

§ 35 required the Town Commissioners first elected to appoint a person to make a Valuation of property in the town, for the purposes of rating under this act; and § 37 provided that every new body of Commissioners should cause the Valuation to be revised from time to time; and provision was made for the valuations to lie open to inspection, and for an Appeal against the valuation: these provisions are repealed by 6 & 7 Vic. c. 93, (§ 16,) and the Poor Law Valuations adopted (§ 17,) for the purposes of the present act (p. 448).

First Com-
missioners to
make an
Estimate of
Expenses for
the ensuing
Year:

and to im-
pose Rates
for defraying
the same:

"§ 38. And be it further enacted, That the Commissioners first elected to carry this Act into Execution in any City, Town Corporate, Borough, Market Town, or other Town, shall with all convenient Speed after the Election, proceed to make an Estimate of the Expenses and Charges attendant upon carrying the Purposes of this Act into effect, until the 31st Day of *July* then next ensuing; and shall fix, ascertain, and impose certain Rates and Assessments* for defraying the same, to be apportioned upon and to be raised and levied from and off the Owners, Occupiers, or Tenants of all Houses, Shops, Warehouses, Cellars, Mills, Yards, Gardens, and Tene-ments, within such City, Town Corporate, Borough, Market Town, or other Town, or the Suburbs or Liber-

* See 6 & 7 Vic. c. 93, § 16-20 (p. 443-450), repealing provisions as to surveys and valuations, and directing that future assessments for the purposes of this act shall be founded on the poor-law valuations.

ties thereof, as determined by the said Commissioners a; that is to say, on the Owners, Occupiers, and Tenants of all such Houses, Shops, Warehouses, Cellars, Mills, Yards, Gardens, and Tenements^a of the yearly Value (as computed under the Valuation herein-before directed to be made) of Five Pounds, and not amounting to Ten Pounds, One or more Rate or Rates not exceeding in the whole the Amount of Six Pence in the Pound of such yearly Value; on the Owners, Occupiers, or Tenants of all such Houses, Shops, Warehouses, Cellars, Mills, Yards, Gardens, and Tenements, of the yearly Value (computed as aforesaid) of Ten Pounds, and not amounting to Twenty Pounds, one or more Rate or Rates not exceeding, in the whole, Nine Pence in the Pound of such yearly Value; and on the Owners, Occupiers, or Tenants of all such Houses, Shops, Warehouses, Cellars, Mills, Yards, Gardens, and Tenements, of the yearly Value (computed as aforesaid) of Twenty Pounds, or upwards, One or more Rate or Rates not exceeding, in the whole, One Shilling in the Pound of such yearly Value: and that each individual House, Shop, Warehouse, Cellar, Mill, Yard, Garden, and Tenement, shall be separately rated, without reference to or including in the Applotment of such Rate, any other House, Shop, Cellar, Warehouse, Mill, Yard, Garden, or Tenement, belonging to or occupied by the same Person: Provided that all contiguous Houses, Shops, Cellars, Warehouses, Mills, Yards, Gardens, and Tenements, occupied by One and the same Person, or by the same Persons, and forming One entire Concern or undivided Tenancy or Holding, shall be rated together and not separately.

“ § 39. Provided always, and be it further enacted, That the Rate which shall be at any Time imposed under this Act upon Premises of the Value of Five Pounds and not exceeding Ten Pounds, shall be equal to Two-thirds of the Rate at the same Time imposed upon Premises of the Value of Ten Pounds and not exceeding Twenty Pounds, and shall be equal to One-half of the Rate at the same Time imposed upon Premises of the yearly Value of Twenty Pounds or upwards; and that the Rate to be imposed upon Premises of the yearly Value of Ten Pounds and not exceeding Twenty Pounds, shall be equal to Three-fourths of the Rate imposed upon Premises of the yearly Value of Twenty Pounds or upwards; and that it shall not be lawful to or for such Commissioners to impose and levy any such Rate for or in respect of any Premises situate beyond the Limits to which the lighting, paving, watching, and cleansing by this Act provided shall extend; and that all Premises under the yearly Value of Five Pounds, as computed under the Valuation

9 GEO. 4,
c. 82,
MUNICIPAL
ACT,
1828.

properties
rateable:
Scale of
Rates.

Each House,
&c., to be
rated sepa-
rately:

Proviso:
where con-
tiguous
houses, &c.
occupied by
same person.

Relative Pro-
portion of
Rates on
properties of
different
value.

^a See 6 & 7 Vic. c. 93, § 18 (p. 449), as to separate valuation of properties rateable under this act but not rateable in poor-rate.

9 GEO. 4,
c. 82,
MUNICIPAL
ACT,
1828.

Municipal
Commission-
ers to esti-
mate ex-
penses and
make rates
after 1st
August in
each year.

afore-mentioned, shall be exempt from any and every such Assessment."

"§ 43. And be it further enacted, That so soon as conveniently may be after the First Day of August in every Year, the Commissioners for the Time being for the Execution of this Act, in any City, Town Corporate, Borough, Market Town, or other Town, shall estimate the Charges, Costs, and Expenses of carrying the Purposes of this Act into effect during the ensuing Year; and shall, for the Purpose of defraying such Charges, Costs, and Expenses, direct any Rates, Assessments, and Applotments to be made, and shall impose, collect, and levy all such Rates, Assessments, and Applotments, and Sums of Money, in the like Manner, and subject to the same Restrictions and Regulations, and in the same Proportions as any Assessments, Applotments, Rates, and Sums of Money are directed to be made and levied by the first elected Commissioners."

MUNICIPAL CORPORATIONS ACTS.

3 & 4 VIC.
c. 108,
MUNICIPAL
CORPORATION
ACTS ACT,
1840.

3 & 4 VICT. CAP. 108.

An Act for the Regulation of Municipal Corporations in
Ireland. [Passed, 10th August 1840.]

EXTRACTS, containing Provisions relating to Functions of the
Poor Law Commissioners and Boards of Guardians, &c.

Dissolution
of old
Corporations
in certain
Boroughs:
and this Act
thereupon to
come into
operation.

"§ 13. AND be it enacted, That from and immediately after the passing of this Act, the Body or reputed Body Corporate named in the said Schedule (B)^a to this Act annexed, in connexion with the Borough of *Galway*, shall be dissolved; and that on the Twenty fifth Day of *October*, One thousand eight hundred and forty, in every Borough named in the Schedules (B)^a and (I)^b respectively to this Act annexed, in which there shall have been then elected any Commissioners under the Act of the Ninth Year of the Reign of King *George* the Fourth^c, herein-after mentioned, and in every Borough named in the Schedule (H)^d to this Act annexed, where in any Union in which such Borough shall be situate there shall be then Guardians of the Poor, and on the Twenty-fifth Day of *October*, in the Year One thousand eight hundred and forty-one, in every other Borough named in the Schedules (B)^a and (I)^b respectively to this Act annexed, the Body or reputed Body Corporate named in each of the said Schedules (B)^a and (I)^b respectively, in conjunction with that Borough,

^a Page 438.

^b Page 440.

^c 9 Geo. 4, c. 82: and see list of Towns in which Commissioners under that act had been elected before the passing of the Towns Improvement Act, in p. 407-8.

^d Page 439.

shall be dissolved; and this Act shall then come into Operation in every such Borough."

"18. And be it enacted, that on the Twenty-fifth Day of *October*, One thousand eight hundred and forty, in any Borough named in the Schedule (H)^a to this Act annexed in which there shall not then have been elected any Commissioners under the said Act of the Ninth Year of the Reign of King *George* the Fourth^b, and where there shall be then Guardians of the Poor of a Union in which such Borough shall be situate—and on the Twenty-fifth of *October*, in the Year One thousand eight hundred and forty-one, in any other Borough named in the Schedule (H) to this Act annexed^a in which there shall not then have been elected any Commissioners under the said Act of the Ninth Year of King *George* the Fourth^b,—the Real and Personal Estate of such Body Corporate shall forthwith vest in the Guardians of the Poor of the Union in which such Borough or the largest Part thereof shall be situate; and the Rents and Profits thereof, after defraying all Charges to which such Rents or Profits may be liable, shall be applied by the Guardians, subject to the Control and according to the Orders of the Poor Law Commissioners, in aid of the Rates to be levied by them for the Relief of the destitute Poor in the electoral District or Districts of such Union in which such Borough or any Part thereof shall be situate, until such Charter may at any Time afterwards be granted, or until there shall be elected in such Borough any Commissioners under the said Act of the Ninth Year of King *George* the Fourth^b; and upon the Grant of any such Charter and upon the Election of a Council under its Provisions, or upon the Election of any Commissioners under the said Act of the Ninth Year of King *George* the Fourth^b, all the said Estate and any Accumulation thereof shall forthwith, without any Conveyance thereof, vest in the Body so incorporated, or in the Commissioners elected under the said Act of the Ninth Year of King *George* the Fourth^b, where no such Charter shall have been granted, as the Case may be; and in case such Estate and Accumulation shall so have vested in such Commissioners under the said Act of the Ninth Year of King *George* the Fourth^b, the same shall be applied by such Commissioners in aid of the Rates to be levied by them under the said Act; and the Surplus thereof, if any, shall be applied by them for the public Benefit of the Inhabitants and Improvement of the Borough, until such Charter may at any Time be granted; and upon the Grant of any such Charter, and the Election of a Council under its Provisions, the Powers of the said Commissioners as to the said Estate shall cease, and all the said Estate and any Accumulation thereof shall forthwith, without any Conveyance thereof, vest in the Body so incorporated.

3 & 4 Vic.
c. 108,
MUNICIPAL
CORPORATION
ACT,
1840.

Property of
Boroughs in
Schedule (H)
not having
Town Com-
missioners
under 9 G. 4,
c. 82:

to vest in the
Guardians of
the poor:

to be applied
in aid of the
Poor Rates:

until a Cor-
porate Body
be elected:

thereupon
such Prop-
erty again to
vest in Cor-
porate Body:

and to be ap-
plied in aid
of Borough
Rates, &c.

If a charter
be granted,
Property to
vest in Cor-
poration
thereunder.

^a Page 439.

^b 9 Geo. 4, c. 82, and list of towns, p. 407-8.

3 & 4 Vic.
c. 108.
MUNICIPAL
CORPORATIONS
ACT,
1840.

Property of
dissolved
Corporations
in Schedule
(I) to vest in
Municipal
Commission-
ers, if any :

to be applied
in aid of Bo-
rough rate,
&c.

If no Muni-
cipal Com-
missioners,
Corporation
Property
to vest in
Guardians of
the Poor ;

to be applied
in aid of the
Poor Rates.

But to vest
in Municipal
Commission-
ers, if any be
afterwards
elected.

Qualifica-
tions of Bur-
gesses, &c.

“19. And be it enacted, that on the Twenty-fifth Day of *October*, One thousand eight hundred and forty, in every Borough named in the Schedule (I) to this Act annexed^a in which any Commissioners shall then have been elected under the said Act passed in the Ninth Year of the Reign of King *George* the Fourth^b; and on the Twenty-fifth Day of *October* One thousand eight hundred and forty-one, in every Borough named in the Schedule (I) to this Act annexed^a in which any Commissioners shall then have been elected under the said Act passed in the Session of Parliament held in the Ninth Year of the Reign of King *George* the Fourth^b, the Real and Personal Estate of the Body Corporate named in the said Schedule (I)^a in Conjunction with that Borough shall forthwith vest in such Commissioners; and the Rents and Profits thereof, after defraying all Charges to which such Rents or Profits may be liable, shall be applied by the Commissioners in aid of the Rates to be levied by them under the said Act, and the Surplus thereof, if any, shall be applied by them for the public Benefit of the Inhabitants and Improvement of the Borough; and in any Borough named in said Schedule (I)^a in which there shall not have been elected on the Day last mentioned any Commissioners under the said last-mentioned Act^b, the Real and Personal Estate of such Body Corporate shall forthwith vest in the Guardians of the Poor of the Union in which such Borough or the largest Part thereof shall be situate, and the Rents and Profits thereof, after defraying all Charges to which such Rents or Profits may be liable, shall be applied by the Guardians (subject to the Control and according to the Orders of the Poor Law Commissioners), in aid of the Rates to be levied by them for the Relief of the destitute Poor in the electoral District or Districts of such Union in which such Borough or any Part thereof shall be situate, until there shall be elected in such Borough any Commissioners under the said last-mentioned Act^b; and upon the Election of any Commissioners under the said last-mentioned Act^b, all the said Estate and any Accumulation thereof shall forthwith, without any Conveyance thereof, vest in the Commissioners elected under the said last-mentioned Act^b, and shall be applied by such Commissioners in aid of the Rates to be levied by them under the said Act^b, and the Surplus thereof, if any, shall be applied by them for the public Benefit of the Inhabitants and Improvement of the Borough.”

“30. And be it enacted, That after this Act shall have come into operation in every Borough named in the said Schedule (A)^c and also in any Borough named in the said Schedule (B)^d, or other Town to which a Charter of Incorporation under this Act shall be granted as aforesaid,

^a Page 440.

^b 9 Geo. 4, c. 82, and list of towns, p. 407-8.

^c For time of coming into operation in these Boroughs, see § 211 (p. 437); and dates added to Schedule A (p. 437-8). ^d Page 438.

every Person qualified as herein-after mentioned^a shall, if duly enrolled according to the Provisions herein-after contained, be a Burgess of such Borough, and a Member of the Body Corporate of the Mayor, Aldermen, and Burgesses of such Borough; and in any Borough named in the said Schedule (B)^b, in which a Board of Municipal Commissioners is herein-before directed to be constituted, every person qualified as herein-after mentioned shall be entitled to vote at the Election of such Commissioners: that is to say, every Man of full Age who, on the last Day of *August* in any Year, shall be an inhabitant Householder, and shall for six Calendar Months previous thereto have been resident as such within such Borough, or within Seven Statute Miles of such Borough, and who shall occupy within such Borough any House, Warehouse, Counting-house, or Shop, which, either separately or jointly with any Land within such Borough occupied therewith by him as Tenant, or occupied therewith by him as Owner, shall be of the yearly Value of not less than Ten Pounds, to be ascertained and determined in Manner following, and not otherwise; that is to say, such Value shall be a Sum composed of the net annual Value at which the Premises so occupied by such Man shall be rated (as they are hereby required to be) to the Relief of the Poor under the said Act for the more effectual Relief of the destitute Poor in *Ireland*, and of the Amount of the Sums at which the Landlord's Repairs and the Landlord's Insurance shall be estimated and stated in any Rate to be made in pursuance of the said Act^c; Provided always, that no such Occupier shall be admitted to be enrolled as a Burgess, or to vote at any Election of Municipal Commissioners under this Act, unless he shall have been rated in respect of such Premises to the Relief of the Poor, and shall have occupied such Premises within the said Borough, or other Premises of the like Nature within the said Borough and rated as aforesaid, for the Space of Twelve Calendar Months^d at the least next preceding such last Day of *August*; nor unless such Occupier shall, on or before the last Day of *August* in such Year, have paid or discharged all Rates for the Relief of the Poor, and all Grand Jury and municipal Cesses, and all Rates and Taxes which shall have become payable by him in respect of such Premises during his Occupation thereof, except such as shall have become payable within Three

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Qualification
for voting in
Election of
Municipal
Commission-
ers:

Provisos.

Payment
of Rates
required.

^a The provisions of this act as to the qualification of Burgesses, are repealed by § 1 of 12 & 13 Vic. c. 85 (p. 493-4) in reference to the Borough of Dublin, for which other provision is thereby made.

^b Page 438.

^c See as to Form of Poor Rate in Boroughs, in which these particulars are to be specified, 6 & 7 Vic. c. 92, § 10 (p. 118); and Form No. 2 in General Order of 9th September, 1850, prescribing Forms of Rates, (Part II. 6).

^d See as to Borough of Carrickfergus, 6 & 7 Vic. c. 93, § 26 (p. 451).

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c. 108,
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CORPORATION
ACT,
1840.

Public No-
tices to be
given of
Taxes pay-
able in Ad-
vance.

Calendar Months next before such last Day of *August*: Provided always, that the Premises in respect of the Occupation of which any Person shall be entitled to be so enrolled or to vote in any Year shall not be required to be the same Premises, or in the same Parish or Union, but may be different Premises, occupied in immediate Succession by such Person in the same Parish or Union, or in different Parishes or Unions^a.

“31. Provided always, and be it enacted, that where in any Borough any Cess, Rate, or Tax is or shall be payable in Advance, the Commissioners, Trustees, or other Persons by whom the same shall be imposed, or by whom any Rate, Assessment, or Order shall be made for imposing or levying the same, shall cause public Notice thereof to be given by posting such Notice for Three successive Days on some convenient Place at or near every Court House and Town Hall within such Borough, and by causing the same to be published in Three successive Impressions or Editions of some Public Newspaper published at least once in every Week in such Borough, or in the City or Town nearest to such Borough in which a Newspaper shall be published; and such Cess, Rate, or Tax shall not, for the Purposes aforesaid of this Act, be deemed to have become payable until after the Completion of the Publication of such Notice, and not before^b: Provided always, that nothing herein contained shall make any such Cess, Rate, or Tax payable before the Time at which the same if this Act had not been passed, would be payable by Law, or shall diminish or affect the Liability of any Person to the Payment of any such Cess, Rate, or Tax for any Purposes other than the Purposes aforesaid of this Act.

Aliens, Pau-
pers, and re-
cipients of
charity funds,
not qualified
to be enrolled
or vote.

“32. And be it enacted, That no Person being an Alien shall be so enrolled or vote; and that no Person shall be enrolled or vote who, within Twelve Calendar Months next before the said last Day of *August*, shall have received Relief by Order of any Board of Guardians or of any paid Officer to be appointed by virtue of the said Act for the Relief of the Poor^c, or any Pension or charitable Allow-

^a See 6 & 7 Vic. c. 93, § 27, containing further provisions as to the qualification of Burgesses and right of voting (p. 453).

^b By 13 & 14 Vic. c. 81 (p. 500), it is declared that this provision does not extend to the Poor Rate and other Rates and Taxes specified in the Schedule to 12 & 13 Vic. c. 85 (p. 493), relating to the Borough of Dublin.

^c *i. e.*, the Act for the more effectual Relief of the Destitute Poor in Ireland, 1 & 2 Vic. c. 56, since amended and extended by 6 & 7 Vic. c. 92, 10 Vic. c. 31, and 12 & 13 Vic. c. 104, &c., which provide that they are to be construed with the previous act, as one (p. 127, 151, 172, 206). The disqualification under this section does not extend to Vaccination under 3 & 4 Vic. c. 29 and 4 & 5 Vic. c. 32, or under the Dispensaries Act 14 & 15 Vic. c. 68, § 13; nor to Medical or Surgical Relief under § 9, 21 of the latter act; nor to assistance by way of Emigration, though at the cost of the Poor Rates: see note ^b in p. 340, and the several provisions therein referred to.

ance from any Fund intrusted to the charitable Trustees of such Borough herein-after mentioned, other than Medical or Surgical Assistance; but no Person shall be disqualified from being enrolled as a Burgess, or voting, by reason that any Child of such Person shall have been admitted and taught within any public or endowed School.

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c. 108,
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1840.

“33. And be it enacted^a, That in every Borough it shall be lawful for any Person occupying any House, Warehouse, Counting-house, or Shop, to claim to be rated to the Relief of the Poor in respect of such Premises respectively, whether the Landlord shall or shall not be liable to be rated to the Relief of the Poor in respect thereof; and upon such Occupier so claiming, and actually paying or tendering to the Collector thereof, or to the Person or Persons entitled to receive the same, the full Amount of the last made Rate then Payable in respect of such Premises, the Guardians or other Persons charged with making any Rate for the Relief of the destitute Poor which shall or ought to include such Premises are hereby required to put the Name of such Occupier upon the Rate for the Time being; and in case any such Guardians or other Persons shall neglect or refuse so to do, such Occupier shall nevertheless, for the Purposes of this Act, be deemed to have been rated to the Relief of the Poor in respect of such Premises, from the Period at which the Rate shall have been made in respect of which he shall have so claimed to be rated as aforesaid: Provided always, that where by virtue of any Act of Parliament the Landlord shall be liable to the Payment of the Rate for the Relief of the Poor in respect of any Premises occupied by his Tenant, nothing herein contained shall be deemed to vary or discharge the Liability of such Landlord; but in Case the Tenant who shall have been rated for such Premises in consequence of any such Claim as aforesaid shall make default in the Payment of the Poor's Rate payable in respect thereof, such Landlord shall be and remain liable for the Payment thereof in the same Manner as if he alone had been rated in respect of the Premises so occupied by his Tenant.

Occupiers, on claim made, to be rated for the Relief of the Poor, whether landlord is or is not rateable:

Proviso:
Landlords' Liability for Poor Rate not affected.

“34 And be it enacted, That where any Premises as aforesaid in any such Borough, shall be jointly occupied by more Persons than One, as Owners or Tenants, each of such joint Occupiers shall, subject to the Conditions herein-before contained as to Persons occupying Premises in any Borough, be entitled to be enrolled as a Burgess for such Borough, or to vote as aforesaid, in respect of

Where Persons occupy Premises jointly, each Person entitled to be enrolled as a Burgess, and to vote; pro-

^a Similar provision in 12 & 13 Vic. c. 85, §5, in reference to Borough of Dublin, (p. 495.)

^b 6 & 7 Vic. c. 92, § 1 (p. 105); and § 10 of 12 & 13 Vic. c. 104 (p. 192):—also § 72 of 1 & 2 Vic. c. 56 (p. 54, and note ^d therein,) and § 5 of 6 & 7 Vic. c. 92 (p. 111).

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c. 108.

vided the
premises be
of sufficient
value.

Office for re-
ceiving Taxes
to be opened
One Month
before 31st
August in
each Year.

If office not
kept open,
Municipal
Rates may
be paid to
Treasurer or
Mayor, to
entitle occu-
pier to be
enrolled and
vote:

Proviso.

Churchwar-
dens of each

the Premises so jointly occupied, provided that the Value of such Premises, to be ascertained and determined as aforesaid, shall be of an Amount which, when divided by the Number of such Occupiers, shall give for each Occupier a Sum not less than the Sum which would entitle such Person to be enrolled or to vote as aforesaid if he occupied separately, but not otherwise."

"38. And be it enacted, That after this Act shall come into operation in any Borough, the Guardians, Commissioners, Trustees, or other Persons who shall be entitled to receive or to cause to be collected any Cess, Rate, or Tax the Payment whereof is required by this Act for the Purpose of entitling any Occupier to be enrolled as a Burgess or to vote in any Borough as aforesaid, or the Collector of such Cess, Rate, or Tax,—shall, One Calendar Month at least before the Thirty-first Day of *August* in each Year, open or cause to be opened, in some convenient Place within such Borough, an Office for receiving Payment thereat of such Cess, Rate, or Tax, and shall cause such Office to be kept open for that Purpose on every Day (*Sunday* excepted) between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon, and shall cause a Collector or other Officer to attend at such Office to receive such Cess, Rate, or Tax; and in case no such Office shall be so kept open, or in case such Collector or other Officer shall not attend thereat for the Purpose aforesaid, it shall be lawful for any Occupier liable to any such Cess, Rate, or Tax to pay or tender the same to the Treasurer of such Borough, or, if there be no such Treasurer, to the Mayor; and such Payment or Tender shall be deemed a sufficient Payment of such Rate, Cess, or Tax, for the Purpose only of entitling the Occupier so liable, and who shall have made such Payment or Tender, to be enrolled as a Burgess or to vote as aforesaid; and the Amount so paid shall with all convenient Speed be paid over by such Treasurer or Mayor to the Person entitled to collect or receive such Cess, Rate, or Tax; and the Amount so paid shall thereupon be credited to the Occupier so liable, and who shall have so paid the same: Provided always, that in Case such Treasurer or Mayor shall not so pay over the Amount so paid to him, and such Occupier shall by reason of such Default of such Treasurer or Mayor be compelled to pay the same or any Part thereof to the Person entitled to collect or receive such Cess, Rate, or Tax, such Occupier shall be entitled to recover from such Treasurer or Mayor the Amount which he shall have so paid, together with a Sum of One Pound as a Penalty for such Default, and to sue for and recover the same, with Costs, by Civil Bill, before the Recorder of such Borough, or before the Assistant Barrister having Jurisdiction within such Borough.

"39. And be it enacted, That on or before the Fifth Day of *September*, in the first Year in which this Act shall

come into Operation in any Borough divided into Wards according to the Provisions and Directions herein contained, the Churchwardens of every Parish, wholly or in Part within any Ward of such Borough, shall make out from the Assessment to be made of Hereditaments within such Parish and Borough, under the said Act for the Relief of the Destitute Poor, alphabetical Lists, according to the Form Number 1, in the Schedule (D) to this Act annexed^a, of all Persons, with their respective Residences, who shall be entitled to be enrolled in the Burgess Roll, according to the Provisions of this Act, in respect of Property within such Parish and Ward, and shall sign such Lists, and deliver the same on the said Fifth Day of *September* to the Town Clerk, and shall keep a true Copy of such Lists, to be perused by any Person without Payment of any Fee, at all reasonable Hours between the said Fifth and the Fifteenth Days of *September* aforesaid.

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parish in
Borough, to
make Lists, in
first year, of
Persons qual-
ified as Bur-
gesses :
and deliver
same to Town
Clerk: and
keep copy
of Lists
open to In-
spection.

“40. And be it enacted, That on or before the Fifth Day of *September* in every Year except the first in which this Act shall come into Operation in any Borough, the Town Clerk of such Borough shall make out, in like Manner, alphabetical Lists according to the said Form Number 1, in the Schedule (D) to this Act annexed^a, of all Persons who shall be entitled to be enrolled in the Burgess Roll of that Year within each Ward of such Borough, and shall sign such Lists, and shall on that Day deliver a true Copy of such Lists, signed by himself, to the Mayor of such Borough, and shall himself keep such original Lists, to be perused by any Person without Payment of any Fee, at all reasonable Hours between the Fifth and Fifteenth Days of *September* in every Year.”

In subse-
quent years,
Town Clerks
to make out
Lists of per-
sons entitled
to be enrolled
as Burgesses.

§ 41 required the several Collectors of Poor Rates, “and of all Grand Jury and Municipal Cesses, Rates, and Taxes, payable within any Borough in which this act shall come into operation,” to make out annually in *September*, according to a prescribed form, Lists of all Persons subject to the payment of such Poor Rate, Cesses, Rates, or Taxes within the limits of such Borough, and within the district of the Collector by whom the same shall be made out; and to deliver the List, signed by him, to the Town Clerk, to be printed. This section has since been repealed by 6 & 7 Vic. c. 93, § 1 (p. 444); and other provision is made by the same act in lieu thereof, § 2, (p. 445.)

“46. And be it enacted, That every Mayor or Barrister holding any Court under this Act for the Revision of the said Lists shall have Power to adjourn the same from Time to Time, so that no such adjourned Court shall be held after the Fifteenth Day of *October* in any Year, and

Mayor or
Barrister, on
revising the
Lists, to have
power to re-
quire the pro-

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CORPORATION
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duction of
Rate Books,
&c.
and to
administer
Oaths;

and to deter-
mine and
sign Lists
when settled.

Existing Cor-
porate Bodies
of Boroughs
in Schedule
(A) to go out
of Office on
Election of
Councillors
under this
Act:

but may be
re-elected
under this
Act.

Proviso as to
Charter Jus-
tices.

Property of
Corporations
dissolved by
this Act vest-
ed in Muni-
cipal Com-

shall have Power to require any High Constable, Churchwarden, or other Person authorized to applot, collect, or levy any Rate for the Relief of the Poor, Cess, Rate, or Tax, within the Borough, or within any Parish wholly or in part within the Borough, or other Person or Persons having the Custody of any Book of Applotment or Rate of Valuation^a, to produce the same, and allow the same to be inspected at any Court to be held for the Revision of the Burgess Roll: and shall have Power to administer an Oath to the Town Clerk and Churchwardens, and to all Persons claiming to be inserted in or making Objections to the Omission or Insertion of any Name in the said Lists, and to all Persons objected to in any of such Lists, and to all Persons claiming to have any Mistake in any such Lists corrected, and to all Witnesses, who may be tendered or examined on either side; and if any Person taking any Oath or making any Affirmation under this Act, shall wilfully swear or affirm falsely, such Person shall be deemed guilty of Perjury, and shall be punished accordingly; and the Mayor and Assessors or Barrister, shall, upon hearing in open Court, determine upon the Validity of such Claims and Objections; and the Mayor or Barrister shall, in open Court, write his Initials against the Names respectively struck out or inserted, and against any Part of the said Lists in which any Mistake shall have been corrected, and shall sign his Name to every Page of the several Lists so settled."

"75. And be it enacted, That after the Declaration of the first Election of the Councillors under the Provisions of this Act in any Borough named in the said Schedule (A)^b, the Mayor, Aldermen, and Common Councilmen, and all other Members of the Common Council or governing Body of the Body Corporate, if any, named in conjunction with such Borough, in the said Schedule (A)^b, by whatever Name or Style they may be known or called, then in Office or elected to any Office, shall go out of Office, and their whole Powers and Duties shall cease: Provided, nevertheless, that any of the said Persons shall be eligible to be elected and appointed under the Provisions of this Act: Provided also, that such Persons as by virtue of any Charter are Justices of the Peace in any Borough named in the said Schedule (A)^b at the time when this Act shall come into operation, shall continue to have and exercise all the Powers which at the Time when this Act shall come into operation they have as Justices of the Peace, until the First Day of December next after the First Election of Councillors under this Act, in that Borough, and no longer."

"103. And be it enacted, That on the Day on which any Body Corporate named in conjunction with any Borough in Schedules (B)^c and (I)^d, or either of them respectively, to this Act annexed, shall be dissolved by virtue of this Act^e, all the Manors, Advowsons, Messuages, Town

^a Sic; Rate or Valuation?

^b Page 437-8.

^c Page 438.

^d Page 440.

^e See § 13 (p. 412).

Halls, public and other Buildings, Lands, Rents, Hereditaments, Leasehold Estates, Goods, Chattels, Money, Debts, Stocks, Funds, Securities, Personal Estate and Effects, and all other Property whatsoever and where-soever, and of what Nature and Kind soever, of or to which any such Body Corporate, or any One or more of the Members of such Body Corporate in his or their Corporate Capacity, is or are or shall be seised or possessed or entitled for any Estate or Interest whatsoever (except Property held in trust for any charitable Uses or Trusts in respect of which other Provisions are herein contained), and all the Estate, Right, Title, and Interest of such Bodies Corporate, Member or Members,—shall be and the same are hereby vested in the Body so incorporated in that Borough where a Charter shall have been granted under this Act, or in the Commissioners elected under the said Act of the Ninth Year of King *George the Fourth*^a, or in the Commissioners acting or to be elected in such Borough respectively in pursuance of this Act, or in the Guardians of the Poor of the Union in which that Borough is situate, as the Case may require, subject to such Mortgages, Charges, Debts, and Incumbrances, Rents, Contracts, Covenants, and Conditions, as the same respectively shall then be subject or liable to.

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missioners, if
any, or in
Guardians,
&c.

“104. Provided always, and be it enacted, That the Dissolution of any Corporate Body under this Act shall not affect the Title to or Continuance of any Estate or Property of such Corporate Body, but such Estate and Property shall vest in and be held by such Commissioners or such Body to be so incorporated as aforesaid respectively, as fully and amply as the same might or would have been vested in or held by such Corporate Body if such Corporate Body had not been so dissolved.

Dissolution
of Corporate
Body not to
affect the
Title to Cor-
porate Pro-
perty.

“105. And be it enacted, That every Person and Body Corporate who, on the Day preceding the Day on which any Body Corporate named in conjunction with any Borough in Schedules (B)^b and (I)^c or either of them respectively to this Act annexed, shall be dissolved by virtue of this Act^d, shall owe any Sum of Money to such Body Corporate,—shall pay the same, together with all Interest (if any) due or to accrue due for the same, to the Body so incorporated, or to the Commissioners acting or to be elected in such Borough in pursuance of this Act, or to such Guardians of the Poor, as the Case may from Time to Time require, or their Treasurer; and all Rents and Sums of Money which on the same Day shall be due and payable, or then accruing due and payable, to such Body Corporate, shall become and be due and payable to the said Body so incorporated, Commissioners or Guardians of the Poor, and shall and may be collected and recovered by the like Ways and Means, and with the

Sums due to
existing Cor-
porations to
be paid to
new Corpora-
tion or Guar-
dians, &c.,
as case may
be;

and Rents,
&c. recover-
able by the
same:

^a 9 Geo. 4, c. 82, and list of towns, p. 407-8.

^b Page 438.

^c Page 440.

^d See § 13 (p. 412).

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and con-
tracts, con-
veyances, &c.
may be en-
forced.

Property
vested in
Municipal
Commission-
ers or Guar-
dians, &c.
under this
Act, to be
subject to
Claims of
Creditors,
&c. of the
dissolved
Corporation.

Costs:

Provisos.

same Penalties in respect thereof, and in like Manner, as the Body Corporate to whom the same respectively shall be due or payable might have collected and recovered the same respectively if this Act had not been passed; and all Conveyances, Contracts, Agreements, Bonds, Covenants, and Securities made or entered into before the Day on which such Body Corporate shall be dissolved, to, with, or in favour of such Body Corporate, shall be (so far as the same or any of them would be good, valid, and effectual, if this Act had not been passed, but not otherwise,) good, valid, and effectual in favour of the said Body so incorporated, Commissioners or Guardians of the Poor, as the Case may be, and may be enforced in the same Manner to all Intents and Purposes, as such Body Corporate might have enforced the same if this Act had not been made.

" 106. And be it enacted, That every Person and Body Corporate who, on the Day preceding the Day on which any Body Corporate named in conjunction with any Borough in Schedules (B)^a and (I)^b or either of them respectively to this Act annexed, shall be dissolved by virtue of this Act, shall claim to be entitled, or would thereafter if this Act had not been passed have become entitled, to any Sum of Money owing from or payable by such Body Corporate, or shall claim any Part of the Property of such Body Corporate in respect of any Mortgage, Charge, Conveyance, Contract, Agreement, Bond, Covenant, or Security which shall have been made or entered into with or in favour of him or them by such Body Corporate before the same Day, shall and may recover or enforce the same as against the Property of such Body Corporate respectively by this Act vested in the said Body so incorporated, Commissioners, or Guardians of the Poor, by the same Actions, Suits, Remedies, or Proceedings against the said Body so incorporated, Commissioners, or Guardians of the Poor, and in the same Manner as he or they respectively might have recovered or enforced the same against such Body Corporate respectively if this Act had not been made; but the Costs of the said Body so incorporated, Commissioners, or Guardians of the Poor, in any such Actions, Suits, Remedies, or other Proceedings, shall be raised and paid out of the Property of such Body Corporate respectively hereby vested in them, in Preference to any Sum of Money, Costs, Damages, or Expenses, Claim, or Demand, in favour of any such Person or Body Corporate claiming as aforesaid: Provided always, that no Action or Suit, or Right of Action or Suit, Right of Entry, Possibility, Claim, or Demand, present or future, vested or not vested, by or against, of or for, any such Body Corporate, Commissioners or Guardians of the Poor, nor any Proceeding to which such Body Corporate, Commis-

^a Page 438.

^b Page 440.

^c See § 13 (p. 412).

sioners, or Guardians of the Poor shall be Parties or Privies, shall abate, be discontinued, or affected by any Dissolution, Transfer of Right or Estate or other Matter or Thing happening by reason of any of the Provisions of this Act, but that in every such Action, Suit, or Proceeding an Entry or Suggestion as of Record shall be made of the Event so happening under this Act, from Time to Time, and thereupon such Action, Suit or Proceeding shall be carried on by or against such Commissioners, Guardians of the Poor, or Body so incorporated, as fully as if no such Dissolution, Transfer of Right or Estate, Matter or Thing, had happened.

“107. And be it enacted, That it shall be lawful for any Commissioners, Guardians of the Poor, or Body so incorporated in any Borough, to commence and prosecute any Actions, Suits, or Proceedings for collecting and recovering the Property of the Body Corporate named in the said Schedules (B)^a and (I)^b or either of them respectively to this Act annexed, in conjunction with such Borough respectively; and to discontinue or compromise any such Action, Suit, or Proceeding, and to allow any Time which they may think proper for Payment of any Money due and owing to them in respect thereof; and also to pay any Debt or Sum of Money claimed to be due from any such Body Corporate and to be payable out of such Property, upon any Evidence which they may think proper to admit; and to defend or compromise any Action, Suit, or other Proceeding which may be brought against them by virtue of this Act, and to adjust and settle any Account or Accounts, depending between such Body Corporate and any Person or any other Body Corporate, and to submit to Arbitration any Difference between such Body Corporate, or the said Commissioners, Guardians of the Poor, or Body so incorporated, and any other Person, relating to the Property of such Body Corporate, and abide by and perform the Award of any Arbitrator respecting the same; and to do, perform, and execute all such Deeds and Things as they the said Commissioners, Guardians of the Poor, or Body so incorporated respectively shall think expedient for ascertaining and collecting in the most advantageous Manner the Property vested in them by virtue of this Act, and settling all Claims and Demands relating thereto: Provided always, that the Guardians of the Poor shall not commence, prosecute, or defend any such Action, Suit, or Proceeding, without the Sanction of the Poor Law Commissioners.”

“109. And be it enacted, That the said Commissioners of every Borough, or the Guardians, as the Case shall be, shall with all convenient Speed pay or make due Provision for Payment, out of the Town Fund of such Borough, or out of the Corporate Property or Funds vested in the

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1840.

Municipal
Commission-
ers, Guar-
dians, &c.
empowered
to bring and
defend or
compromise
Actions, &c.

and to settle
Accounts,
&c.

Proviso:
Guardians
not to pro-
ceed at Law
without Poor
Law Com-
missioners'
Sanction.

Municipal
Commission-
ers, Guar-
dians, &c.,
to pay Debts,
&c., of Cor-
porations.

3 & 4 Vic.
c. 108,
MUNICIPAL
CORPORATIONS ACT,
1840.

Municipal
Commissioners,
Guar-
dians, &c.
may repair
and insure
Buildings;
and invest
and manage
Revenues.

Municipal
Commission-
ers, Guar-
dians, &c.
may appro-
priate public
Buildings in
Borough to
public Pur-
poses for the
Borough.

Council to
estimate Ex-
penses of car-
rying this
Act into Exe-
cution :

and to make
Borough
Rates, as may
be necessary ;

Guardians under this Act, of the Outgoings, Rates, and Charges payable in respect of the Property therein comprised, and of all Charges and Incumbrances payable thereout, and of all Debts, Annuities, Pensions, Allowances, and Sums of Money payable by the Body Corporate to whom the Property comprised in such Town Fund shall have belonged.

“110. And be it enacted, That it shall be lawful for the said Commissioners of every Borough, or with the Consent of the Poor Law Commissioners, for the Guardians, as the Case shall be, from Time to Time to cause any Repairs to be made to any Buildings or Premises which they may think expedient, and to insure any Buildings from Loss or Damage by Fire, and pay the Expenses of such Repairs and Insurances out of the said Town Fund ; and also to cause to be invested in their Names or in the Name of their Treasurer, any Monies forming part of any such Town Fund, in any Stocks, Funds, or Securities, and alter and vary such Stocks, Funds, and Securities as they shall think proper, and in all other respects manage the Property comprised in every or any such Town Fund, and invest or dispose of the same and all Revenues thereof in such Manner as they shall think most advantageous.

“111. And be it enacted, That it shall be lawful for the said Commissioners of any Borough, or the Guardians, as the Case shall be, to appropriate and settle any Town Hall, Police Office, or other public Building in any Town forming part of the Town Fund of such Borough respectively, for the Purposes of a Court for the holding of Quarter Sessions, or a Court of Record for Civil Actions, or a Court of Conscience, or Police Station, or other public Use for the Benefit of the Inhabitants of such Borough.

“133. And be it enacted, That in Case, after Payment of all Debts due from such Body Corporate and contracted before the passing of this Act, and after Satisfaction of all lawful Claims upon the real and personal Estate of such Body Corporate, the Borough Fund shall not be sufficient for the Purposes aforesaid, or in case there shall be no Borough Fund, the Council of the Borough is hereby authorized and required from Time to Time to estimate as correctly as may be what Amount, in Addition to such Fund or when there shall be no such Fund, will be sufficient for the Payment of the Expenses to be incurred in carrying into Effect the Provisions of this Act ; and in order to raise the Amount so estimated, and also for the Purpose of defraying the Expenses of putting this Act into Execution, which may have been incurred before the making of any Borough Rate, the said Council is hereby authorized and required from Time to Time, to order a Borough Rate to be made within their Borough ; and for that Purpose the Council of such Borough shall have within their Borough all the Powers and Authorities which any Commissioners in any Borough in *Ireland* have within the Limits of their Commission by Virtue of the

said last recited Act of the Ninth Year of the Reign of His Majesty King *George the Fourth*^a, and shall observe and preserve the Provisions thereof, as if the same were herein recited, or as near thereto as the Nature of the Case will admit; except that every such Rate shall be and is hereby authorized to be assessed and levied and raised from and off the Owners, Occupiers, or Tenants of all Hereditaments rateable for the Relief of the destitute Poor in *Ireland*, in an equal and uniform Manner, according to the Yearly Value at which the same shall be estimated for the Purpose of a Rate for the Relief of the destitute Poor within such Borough, and whether the same shall or shall not be under the yearly Value of Five Pounds: Provided always, That such Persons only shall be liable to pay the Borough Rate in respect of Hereditaments under the Value of Five Pounds who shall be rated in respect thereof to a Rate for the Relief of the destitute Poor within such Borough, and subject to the Provisions contained in the said Act for the Relief of the destitute Poor in *Ireland* with reference to Property of which the net annual Value shall not amount to Five Pounds^b; and all such Sums levied in pursuance of such Borough Rate shall be paid over to the Account of the Borough Fund."

3 & 4 Vic.
c. 108,
MUNICIPAL
CORPORATION
ACT,
1840.

to be levied
from persons
rateable for
the relief of
the Poor.

Proviso,
where pro-
perty under
£5 value.

"135. And be it enacted, That nothing in this Act contained shall be construed to render liable to the Payment of any Debt contracted before this Act shall come into Operation in any Borough, by any Body Corporate, any Part of the Real or Personal Estate of the said Body Corporate which before this Act shall have so come into operation was not liable thereto either at Law or in Equity; or to authorize the Levy of any Rate within any Part of any Borough for the Purpose of Paying any Debt contracted before the passing of this Act, which before the passing of this Act could not lawfully be levied therein towards the Payment of the same.

Act not to
render Pro-
perty liable
for Debts
already con-
tracted and
not previous-
ly chargeable
thereon; nor
to authorize
Rates for
Payment of
such Debts.

"137. And be it enacted, That the Council of every such Borough in which this Act shall be in Operation, and the Commissioners or Guardians of the Poor of every Town in which any Commissioners or Guardians of the Poor shall act by virtue of the Provisions herein contained, shall, before the first Day of *February* in each Year, transmit to the Lord Lieutenant a Statement of all Monies received and expended on Account of such Corporation or Commissioners or Guardians of the Poor, (as the Case may be), under this Act, or in anywise relating to the Borough Fund or Town Fund of such Borough within the Year preceding, which Statement shall be prepared in such Form and Manner as the Lord Lieutenant shall direct; and such Accounts shall refer and be made up to the Audit next before the First of *January* of the

Councils,
Guardians,
&c. to trans-
mit yearly
Accounts of
Income and
Expenditure
to Lord Lieu-
tenant in
February :

^a 9 Geo. 4, c. 82 (p. 407).

^b 1 & 2 Vic. c. 56, § 72 (p. 54); and see 6 & 7 Vic. c. 92, § 1 (p. 105).

3 & 4 Vic.
c. 108,
MUNICIPAL
CORPORATIONS ACT,
1840.

and an Abstract thereof
to be laid before Parlia-
ment.

Provision for
prevention or
remedy of
misapplica-
tion of Cor-
porate Pro-
perty.

Year in which such Account is hereby required to be so transmitted; and an Abstract of such Statements and Accounts, under general Heads, shall be laid before both Houses of Parliament during their Sitting, in the same Year in which they are hereby required to be transmitted as aforesaid; and a Copy thereof shall be deposited with the Town Clerk, or with such Person resident in such Town as such Commissioners or Guardians shall appoint to execute the Duties of Town Clerk therein, and shall be open to the Inspection of all the Inhabitants of such Borough or Town, and Copies thereof shall be delivered to all Inhabitants of such Borough or Town applying for the same, on Payment of One Shilling for each Copy."

"139. And whereas many of the said Municipal Corporations in Ireland have been and now are seised and possessed of or entitled to divers Lands, Tenements, and Hereditaments, and the same have been granted to them and ought to be vested in them for the public Benefit of the said Boroughs respectively; and it is expedient to make further Provision than now by Law exists for preventing or remedying the Waste and Misapplication of such Property and of all other Property which may hereafter be so granted to or acquired by Municipal Corporations or any Commissioners or Guardians of the Poor acting under the Provisions of this Act, for Municipal Purposes: Be it enacted, That in case of Waste or Misapplication of any such Property, or of any Breach of Trust in respect thereof, or wherever the Direction, Decree, or Order of a Court of Equity shall be deemed necessary for the due Administration and Application of any such Property, it shall be lawful for Her Majesty's Attorney-General for Ireland, or for any Two or more Burgesses of such Borough, or Persons qualified to vote at any Election of any Commissioners or Guardians acting under this Act in such Borough, to present a Petition to the Court of Chancery or to the Court of Exchequer in Ireland, stating such Complaint and praying such Relief as the Nature of the Case may require; and it shall be lawful for the Lord Chancellor or the Master of the Rolls for the Time being, and for the Court of Exchequer, and they are hereby required, to hear such Petition in a summary way, and to direct all such Persons as they shall consider necessary to answer the same, and if necessary to issue a Commission for the Examination of Witnesses, and on their Depositions, or upon Affidavits or such other Evidence as shall be produced upon such hearing, to determine the same, and to give such Relief and make such Order therein, and with respect to the Costs of such Application, and to enforce the same by Injunction or otherwise, as to him or them shall seem just; and such Order shall be final and conclusive, unless the Party or Parties who shall think himself or themselves aggrieved thereby shall within Two Years from the Time when such Order shall have been passed and entered by the proper Officer,

have preferred an Appeal from such Decision to the House of Lords, to whom it is hereby declared and enacted that an Appeal shall lie from such Order: Provided always, that neither the Petitions nor any Proceedings upon the same or relative thereto, nor the Copies of any such Petitions or Proceedings shall be subject or liable to the payment of any Stamp Duty, Charge for Chancery or other Court Fund, or other public Charge whatsoever, save only the actual Expense of making a Copy when any Copy shall be required from any of such Courts.

“140. And be it enacted, That it shall not be lawful for any Body Corporate of any Borough named in the said Schedule (A)^a, or any Commissioners or Guardians of the Poor or Body so incorporated in any Borough named in the said Schedules (B)^b and (I)^c or either of them respectively, at any Time after the passing of this Act, to sell, mortgage, or alienate the Lands, Tenements, and Hereditaments of the said Body Corporate, or any Part thereof, except in pursuance of some Covenant or Contract or Agreement *bonâ fide* made or entered into on or before the Twentieth Day of *August* in the Year One thousand eight hundred and thirty-six, by or on behalf of the Body Corporate of any Borough, or of some Resolution duly entered in the Corporation Books of such Body Corporate on or before the said Twentieth Day of *August*, or to demise or lease, except in pursuance of some Covenant, Contract, or Agreement *bonâ fide* made or entered into on or before the said Twentieth Day of *August* by or on behalf of such Body Corporate, or in pursuance of some Resolution duly entered in the Corporation Books of such Body Corporate on or before the said Twentieth Day of *August*, except in the Cases herein-after mentioned, any Lands, Tenements, or Hereditaments of such Body Corporate or any Part thereof; or to enter into any new Contract or Agreement, except in the Cases herein-after mentioned, for demising or leasing the said Lands, Tenements, and Hereditaments, or any Part thereof, for any Term exceeding Thirty-one Years from the Time when such Lease shall be made, or if made in pursuance of a previous Agreement, then from the Time when such Agreement shall have been entered into; and in every Lease which the said Council, Commissioners, or Guardians are not hereby restrained from making, there shall be reserved and made payable, except in the Cases herein-after mentioned, during the whole of the Term thereby granted, such clear yearly Rent as to the Council, Commissioners, or Guardians shall appear reasonable, without taking any Fine for the same: Provided always, that in all Cases in which any Body Corporate shall on the Twentieth Day of *August* in the Year One thousand eight hundred and thirty-six have been bound or engaged by any Covenant or Agreement, ex-

3 & 4 VIC.
c. 108,
MUNICIPAL
CORPORATION
ACT,
1840.

Exemption
from Stamp
Duty, &c.

Power of Sale
and Leasing,
&c. of Cor-
porate Pro-
perty, re-
strained

Provided as to
renewal of
leases, &c.

^a Page 437-8.

^b Page 438.

^c Page 440.

3 & 4 Vic.
c. 108,
MUNICIPAL
CORPORATIONS ACT,
1840.

Consent of
Poor Law
Commission-
ers to Demise
or Lease by
Guardians.

Lords of
Treasury
may autho-
rize other
Dispositions:

Public notice
thereof.

press or implied, or have been enjoined by any Deed, Will, or other Document, or have been sanctioned or warranted by ancient Usage, or by Custom or Practice, to make any Renewal of any Lease for Years, or for Life or Lives, or for Years determinable with any Life or Lives, at any fixed or determinate or known or accustomed Period, or after the Lapse of any Number of Years, or on the dropping of any Life or Lives, at a Fine certain, or under any special or specific Terms or Conditions, and also in all Cases in which any Body Corporate shall theretofore have ordinarily made Renewal of any Lease for Years, or for Life or Lives, or for Years determinable with any Life or Lives, at any fixed or determinate or known or accustomed Period, or after the Lapse of any Number of Years, or upon the dropping of any Life or Lives, upon the Payment of an arbitrary Fine, it shall be lawful for the Council, Commissioners, or Guardians of such Borough to renew such Lease for such Term or Number of Years, either absolutely or determinable with any Life or Lives, or for such Life or Lives, and at such Rent, and upon the Payment of such Fine or Premium, either certain or arbitrary, and with or without any Covenant for the future Renewal thereof, as such Body Corporate could or might have done in case this Act had not been passed; provided also, that any such Demise or Lease to be made by the Guardians of the Poor otherwise than in pursuance of such Covenant, Contract, or Agreement, as aforesaid, shall be made with the Consent of the Poor Law Commissioners.

“141. And be it enacted, That in every Case in which such Council, Commissioners, or Guardians shall deem it expedient to sell and alienate, or to demise and lease for a longer Term than Thirty-one Years, or upon different Terms and Conditions than those herein-before mentioned, any of the said Lands, Tenements, or Hereditaments, it shall be lawful for such Council, Commissioners, or Guardians, to represent the Circumstances of the Case to the Commissioners of Her Majesty's Treasury; and it shall be lawful for such Council, Commissioners, or Guardians with the Approbation of the said Commissioners or any Three of them, to sell, alienate, and demise any of the Lands, Tenements, and Hereditaments of the said Body Corporate, in such Manner and on such Terms and Conditions as shall have been approved by the said Commissioners: Provided always, that Notice of the Intention of the Council, Commissioners, or Guardians to make such Application as aforesaid shall be fixed on the outer Door of the Town Hall, or in some public or conspicuous Place within the Borough, One Calendar Month at least before such Application; and a Copy of the Memorial intended to be sent to the said Commissioners shall be kept in the Town Clerk's Office during such Calendar Month, and shall be freely open to the Inspection of every Burgess, or Person entitled to vote at the

Election of such Commissioners, or Rate-payer of the Borough, at all reasonable Hours during the same^a.

“142. Provided nevertheless, and be it enacted, That in any of the Instances herein-after mentioned, it shall be lawful for the Council, Commissioners, or Guardians, from Time to Time to demise and lease or to enter into any Contract or Agreement for demising and leasing, either at a reserved Rent or Fine, or both, as the Council, Commissioners, or Guardians, shall think fit, any of the said Lands, Tenements, or Hereditaments to any Person, Body Politic, Corporate, or Collegiate, for any Term not exceeding Seventy-five Years from the Time of making such Lease or Agreement, that is to say, of Tenements, or Hereditaments the greater Part of the yearly Value of which shall at the Time of making the Lease or Agreement consist of any Building or Buildings, or of Land or Ground proper for the Erection of any Houses or other Buildings thereupon, with or without Gardens, Yards, Curtilages, or other Appurtenances to be used therewith; and where the Lessee or intended Lessee shall covenant or agree to erect a Building or Buildings thereon of greater yearly Value than such Land or Ground, or Land or Ground proper for Gardens, Yards, Curtilages, or other Appurtenances to be used with any other House or other Building erected or to be erected on any Ground belonging either to such Body Corporate or to any other Proprietor, or proper for any other Purpose calculated to afford Convenience or Accommodation to the Occupiers of any such House or Building: Provided always, that such Demise, Lease, Contract, or Agreement shall, if made or entered into by the Guardians of the Poor, be so made or entered into with the Consent of the Poor Law Commissioners.

“143. And be it enacted, That it shall be lawful for the Council, or any Commissioners or Guardians of the Poor, first to be elected or to act in any Borough under the Provisions of this Act, to call in Question all Purchases, Sales, Leases, and Demises not made in pursuance of some such *bonâ fide* Covenant, Contract, Agreement, or Resolution made and entered into as aforesaid before the said Twentieth Day of August; and all Contracts for the Purchase, Sale, Lease, or Demise of any Lands, Tenements, and Hereditaments, and all Divisions and Appropriations of the Monies, Goods, and valuable Securities, or any Part of the Real or Personal Estate, of which, on or before the said Twentieth Day of August, the Body Corporate of which they are the Council, Commissioners, or Guardians, whether in their own Right, or as Trustees for charitable or other Purposes, was seised or possessed, which shall have been made or contracted between the said Twentieth Day of August and the Day of the Declaration of their Election; and for that Purpose, if it shall

3 & 4 Vic.
c. 108,
MUNICIPAL
CORPORATION
ACT,
1840.

Demise or
Lease for
Seventy-five
Years, in cer-
tain cases.

Consent of
Poor Law
Commission-
ers to Demise,
&c. by Guar-
dians.
Council,
Guardians,
&c. may call
in question
Purchases,
Sales, Leases,
and Demises
of Corporate
Property,
since said
20th August,
1836,

and if appear-

^a See further provisions in 6 & 7 Vic. c. 93, § 7 (p. 446.)

3 & 4 VIC.
c. 108,
MUNICIPAL
CORPORATIONS ACT,
1840.

ing to have
been collu-
sively made,
to have same
submitted to
a Jury :

Notice there-
of to be given.

Consent of
Poor Law
Commission-
ers to pro-
ceedings by
Guardians.

Proceedings
before the
Jury :

Jury to find
the value, &c.

on finding of
Jury, option
to party of
restoring or
paying due
considera-
tion.

appear to the said Council. Commissioners, or Guardians that there is Ground for believing that any such Purchase, Sale, Lease, or Demise, or such Contract, or such Division or Appropriation of the Premises, was collusively made for no Consideration, or for an inadequate Consideration, it shall be lawful for the Council, Commissioners, or Guardians of such Borough, at any Time within Twelve Calendar Months next after such first Election or Acting under this Act in such Borough, upon Notice of their Intention being first given in the *Dublin Gazette*, and also affixed on the outer Door of the Town Hall, or in some public Place within the Borough, to cause the Value of the Lands, Tenements, Hereditaments, and Premises in question to be inquired of and found by a Jury of Twelve indifferent Men of the County in which, or adjoining to which, in the Case of all Counties of Cities and Towns Corporate, such Lands, Tenements, Hereditaments, or Premises do lie: Provided always, that any such Proceedings, if taken by the Guardians, shall be so taken with the Consent of the Poor Law Commissioners.

“144. And be it enacted, That the Council, Commissioners, or Guardians shall be empowered to summon and call before such Jury all Persons having the Custody and Possession of any Deed or Agreement concerning the said Lands, Tenements, Hereditaments, and Premises made or entered into since the said Twentieth Day of *August*, and to cause all such Deeds and Agreements to be produced before the said Jury, and examined by them, and to examine upon Oath every Person who shall be thought necessary to be examined (which Oath the Mayor is hereby empowered to administer); and the Council, Commissioners, or Guardians shall, by ordering a View or otherwise, use all lawful Means for the Information as well of themselves as of the said Jury in the Premises; and the Jury shall find the Value of the said Lands, Tenements, Hereditaments, and Premises, and the Consideration which shall have been given, and also that which ought of Right to have been given, for the Purchase, Sale, Lease, Demise, or Appropriation thereof, according to the Terms of such Purchase, Sale, Lease, Demise, Contract, or Appropriation, and taking into account all the Circumstances under which the same shall have taken place; and if the Jury by their Oaths shall find that no Consideration, or a Consideration less than that which they shall have so found to be the Value which ought therefor to have been given, shall have been collusively given or contracted to be given by the Terms of any such Purchase, Sale, Lease, Demise, Contract, or Appropriation, the Party to such Purchase, Sale, Lease, Demise, Contract, or Appropriation shall have his Option either to reconvey and restore the Lands, Tenements, Hereditaments, and Premises in question, and to abandon the Contract to which he shall have been Party, upon Re-

ceipt in each Case of the Consideration, if any, which he shall have given for the same, or to give in each Case such additional Consideration, so that the whole Consideration given shall be that which ought of Right to have been given, so found by the Jury as aforesaid; and in every such Case as last aforesaid the additional Consideration given or to be given shall be endorsed on the original Deed or Conveyance; and unless he shall so do within One Calendar Month next after the finding of the Jury, every such Purchase, Sale, Lease, Demise, Contract, and Conveyance shall be absolutely void and of none Effect as against the said Body Corporate, Commissioners, or Guardians, and their Successors; and in every Case in which any such Contract shall have been abandoned as aforesaid, or in which any such Purchase, Sale, Lease, Demise, Contract, or Conveyance shall become void and of none Effect, under the Provisions of this Act, the Party who would otherwise have had the Benefit of the same shall be remitted to his former Estate, Title, and Interest (if any) in the Premises, as if no such Contract, Purchase, Sale, Lease, or Demise had been made or entered into; and for summoning and returning such Juries, and for imposing Fines on the Sheriff, his Deputy Bailiff, or Agent, and on the Persons summoned and returned on the said Jury, and on any Person required to give Evidence, who shall in this Behalf contravene the Provisions of this Act, the Council, Commissioners, or Guardians of every such Borough shall have all the Powers which the Superior Courts of Record in *Dublin* have; and all the Costs of the said Jury, and of all Witnesses tendered by the said Council, Commissioners, or Guardians to be examined before the said Jury, shall in every Case be borne by the Council, Commissioners, or Guardians, and paid out of the Borough Fund.

3 & 4 VIC.
c. 108.
MUNICIPAL
CORPORATION
ACTS ACT,
1840.

Compensa-
tion of
Corporation
Officers.

Costs.

“145. Provided nevertheless, and be it enacted, That it shall be lawful for the Lord Lieutenant of *Ireland* for the Time being, if he shall think fit, by the Advice of the Privy Council, upon Petition to him or them setting forth the special Circumstances under which any Purchase, Sale, Lease, Demise, Contract or Appropriation of any of the said Lands, Tenements, Hereditaments, and Premises shall have been made since the said Twentieth Day of *August*, to order that the same shall not be called in question under the Provisions of this Act; and in such Case as last aforesaid the same shall not be called in question or set aside or affected under the Provisions of this Act: and in every Case in which such Petition shall have been presented, it shall be lawful for the Lord Lieutenant for the Time being, if he shall think fit, to enlarge the Time within which (in Case he shall not think fit to make such Order as aforesaid) the Council, Commissioners, or Guardians may have Power as aforesaid to call in question any Purchase, Sale, Lease, Demise, Contract, or Appropriation referred to in such Petition.

Lord Lieu-
tenant may
direct special
Cases not to
be ques-
tioned:

Or may en-
large the
time for
calling in
question.

3 & 4 Vic.
c. 108.

This Act not to give validity to any Disposition of Corporate Property : but same may be questioned as if this Act had not been passed.

Advowsons, &c. to be sold, by Council, Guardians, &c, as the Ecclesiastical Commissioners may direct :

application of Proceeds.

“146. And be it enacted, That nothing herein contained shall be construed to give or shall give any Effect or Validity to any Sale, Demise, or other Disposition of or any Agreement relating to any Lands, Tenements, Hereditaments, or other Property which at any Time belonged to any Corporate Body ; but that the Validity of such Agreement, Sale, Demise, or other Disposition shall be liable to be questioned in any Court of Law or Equity by the Council, Commissioners, or Guardians of the Borough, or any Burgess, Voter, Rate-payer, or Freeman, or other Person, as fully as if this Act had not been passed.

“147. And be it enacted, That in every Case in which a Body Corporate, or any particular Class, Number, or Description of Members, or the governing Body of any Body Corporate, now is or are, in their Corporate Capacity, and not as charitable Trustees, according to the Meaning and Provisions of this Act, seised or possessed of any Manors, Lands, Tenements, or Hereditaments whereunto any Advowson or Right of Nomination or Presentation to any Benefice or Ecclesiastical Preferment is appendant or appurtenant, or of any Advowson in gross, or hath or have any Right or Title to nominate or present to any Benefice or Ecclesiastical Preferment, every such Advowson, and every such Right of Nomination and Presentation, shall be sold at such Time and in such Manner as the Ecclesiastical Commissioners for *Ireland* may direct, so that the best Price may be obtained for the same ; and it shall be lawful for the Council, Commissioners, or Guardians of such Body Corporate, and they are hereby authorized and required, with the Consent of the said Commissioners, or any Three or more of them, in Writing under their Hands, to convey and assure, under the Common Seal of such Body Corporate, Commissioners, or Guardians, such Advowson, or such Right of Nomination or Presentation as aforesaid, to the Purchaser or Purchasers thereof respectively, his or their Heirs, Executors, Administrators, and Assigns, or to such Uses, as he or they shall direct : and the Proceeds of every such Sale shall be paid to the Treasurer of the Borough, or of the Guardians respectively, whose Receipt shall be a sufficient and effectual Discharge to the Purchaser or Purchasers to whom the same shall be given, for the Amount of his or their Purchase Money ; and it shall be lawful for the Council, Commissioners, or Guardians, of such Borough, to direct that such Purchase Money, or any Part thereof, shall be applied towards the Liquidation of any Debt contracted before the passing of this Act by the Body Corporate now seised of or entitled to the Property so sold, and if it shall not be so applied, it shall be invested in Government Securities for the Use of the Body Corporate, Commissioners, or Guardians, as in Case of other Property under this Act, and the annual Interest payable thereon shall

be carried to the Account of the Borough Fund: Provided always, that in case of any Vacancy arising before any such Sale shall have taken place and been completed, such Vacancy shall be supplied by the Presentation or Nomination of the Bishop or Ordinary of the Diocese in which such Benefice or Ecclesiastical Preferment is situated."

3 & 4 Vic.
c. 108.

Proviso in case of vacancy before sale completed.

"157. And be it enacted, That it shall be lawful for Her Majesty from Time to Time to assign to so many Persons as She shall think proper, Her Majesty's Commission to act as Justices of the Peace in and for each Borough named in the said Schedule (A)^a to which Her Majesty may be pleased to grant a Commission of the Peace; and also in and for the Towns of *Galway* and *Carrickfergus* respectively: Provided nevertheless, that every Person so to be assigned shall reside within the Borough for which he shall be so assigned, or within Seven Miles of such Borough or of some Part thereof, during such Time as he shall act as a Justice of the Peace in and for such Borough."

The Crown may commission Justices of Peace for certain Boroughs and Towns.

"160. And be it enacted, That every Person assigned to keep the Peace within any Borough under the Provisions of this Act, or any of them, shall, during the continuance of such Assignment, execute the Duties of a Justice of the Peace in and for the Borough for which he shall have been so assigned, although such Person may not be a Burgess of the Borough in and for which he shall have been assigned to act as Justice of the Peace, and although he may not have such Qualification by Estate as is required by Law in the Case of other Persons being Justices of the Peace for a County; so nevertheless that such Person be not disqualified by Law to act as a Justice of the Peace for any other Cause or upon any other Account than in respect of Estate."

Persons may be assigned as Justices in Boroughs, although not Burgesses or qualified by Estate.

"206. And whereas an Act was passed in the last Session of Parliament, intituled *An Act to restrain the Alienation of Corporate Property in certain Towns in Ireland*, whereby it is provided^b that no Person who should have been appointed to any Office or Place of Profit in or by any of the said Bodies Corporate since the Sixteenth Day of February, in the Year One Thousand eight hundred and thirty-six, should be entitled, by reason of such Appointment, to have any Compensation for the Loss of such Office or Place of Profit, or of the Fees and Emoluments thereof, in case Provision should be thereafter made by Parliament for removing him or authorizing his Removal from such Office or Place of Profit, or for amending or abolishing the same: Be it enacted, That every Officer of any Borough or Body Corporate, except those appointed since the Sixteenth Day of February, One thousand eight

Compensation of Corporation Officers;

^a Page 437.

^b 2 & 3 Vic. c. 76, § 2: see further provisions in 3 & 4 Vic. c. 109, § 11 (p. 441).

3 & 4 Vic.
c. 108,
MUNICIPAL
CORPORATION
ACT,
1840.

—
Compensa-
tion of
Corporation
Officers:

to be assessed
and paid by
Corporate
body, Guar-
dians, &c.

hundred and thirty-six, who shall hold any Office of Profit at the Time when this Act shall come into Operation in such Borough, whose Office shall be abolished or cease or become unnecessary, by reason of this Act, or who shall be removed from his Office under the Provisions of this Act, or deprived of Fees or Emoluments to which he would have been entitled if this Act had not been passed, and who shall not be re-appointed under this Act, shall be entitled to have an adequate Compensation, by way either of a Sum in gross or of Annuity, at the Option of, and to be assessed by the Council, Commissioners, or Guardians acting under this Act for that Borough, and paid out of the Borough Fund, or Town Fund, or Corporate Property, or Funds vested in the Guardians under this Act, as the Case may be, for the Salary, Fees, and Emoluments of the Office which he shall so cease to hold, regard being had to the Manner of his Appointment to the said Office, and his Term or Interest therein, and all other Circumstances of the Case; and every Person entitled to such Compensation as aforesaid, shall deliver to the Town Clerk, or in Case such Person shall himself be Town Clerk, then to the Treasurer of the Borough, a Statement under the Hand of such Person, setting forth the Amount received by him or his Predecessors in every Year during the period of Five Years next before the passing of this Act, on Account of the Salary, Fees, Emoluments, Profits, and Perquisites in respect whereof he shall claim such Compensation, distinguishing the Office, Place, Situation, Employment, or Appointment in respect whereof the same shall have been received, and containing a Declaration that the same is a true Statement according to the best of the Knowledge, Information, and Belief of such Person, and also setting forth the Sum claimed by him as such Compensation; and the Town Clerk or Treasurer, as the Case shall be, shall lay such Statement before the Council, Commissioners, or Guardians acting under this Act for that Borough, who shall take the same into Consideration, and determine thereon; and immediately upon such Determination being made, the Person preferring such Claim, if he shall not himself be the Town Clerk, shall be informed thereof by Notice in Writing under the Hand of the Town Clerk; and in Case such Claim shall be admitted in part, and disallowed in part, such Notice shall specify the Particulars in which the same shall have been admitted and disallowed respectively: and in Case the Person preferring such Claim shall think himself aggrieved by the determination of the Council, Commissioners, or Guardians acting under this Act for that Borough thereon, or in case One-third of the Members of the Council, Commissioners, or Guardians acting under this Act for that Borough, shall subscribe a Protest against the Amount of Compensation allowed by such Determination as excessive, it shall be lawful for the Person preferring such

Appeal to
Treasury,
whose order
is to be final.

Claim, or any Member of the Council, Commissioner, or Guardian, as the Case may be, who shall subscribe such Protest to appeal to the Lords Commissioners of Her Majesty's Treasury, who shall thereupon make such Order as to them shall seem just; and such Order, signed by Three or more of such Lords Commissioners, shall be binding on all Parties. Provided always, that if the Council, Commissioners, or Guardians acting for such Borough, shall not determine on such Claim within Six Calendar Months after the aforesaid Statement shall be delivered to the Town Clerk or Treasurer, as the Case shall be, such Claim shall be considered as admitted: Provided also, that it shall not be lawful for any Member of the Council, Commissioner, or Guardian, to subscribe such Protest as aforesaid, except within such Period of Six Calendar Months: Provided also, that the Person preferring such Claim, if any Member of the Council, Commissioner, or Guardian shall so require, upon receiving Notice in Writing, signed by the Town Clerk, unless such Person shall himself be Town Clerk, in which Case no such Notice shall be requisite, shall from Time to Time attend at any Meeting or adjourned Meeting of the Council, Commissioners, or Guardians, for the Investigation of such Claim, and then and there upon his Oath or solemn Affirmation, to be taken or made before the Mayor or Chairman (who is hereby authorized to administer the same), shall answer all such Questions as shall be asked by any Member of the Council, Commissioner, or Guardian, touching the Matters set forth in the Statement subscribed by such Person as aforesaid, and produce all Books, Papers, and Writings, in his Possession, Custody, or Power, relating thereto: Provided also, that every such Officer who shall be continued in or re-appointed to such Office under the Provisions of this Act, and who shall be subsequently removed from such Office for any Cause other than such Misconduct as would warrant Removal from any Office held during good Behaviour, shall be entitled to Compensation in like Manner as if he had been forthwith removed under the Provisions of this Act, and had not been continued in or re-appointed to such Office: Provided also, that the Provisions herein-before contained with respect to such Notice, Protest and Appeals, as aforesaid, and with respect to the said Lords Commissioners making such Order as aforesaid, and with respect to the Person claiming Compensation delivering such Statement, and attending such Meeting or Meetings, and submitting to such Examination on Oath, and answering such Questions, and producing such Books, Papers, and Writings as aforesaid, and with respect to the Powers of Investigation of the Town Council, and all other Matters in respect of such Claim, shall apply to any Claim or Compensation of any of the Persons herein-after mentioned or specially provided for."

3 & 4 VIC.
c. 108,
MUNICIPAL
CORPORATION
ACTS ACT.
1840.

Compensation
of
Corporation
Officers.

3 & 4 Vic.

c. 108.

MUNICIPAL
CORPORATIONS ACT,
1840.Compensa-
tion, if not
forthwith
paid, to be se-
cured by
Bond or Cer-
tificate under
Common
Seal.

“210. And be it enacted, That in the Case of any Borough named in the said Schedule (A)^a or in the said Schedule (B)^b in which there shall be a Body Corporate under the Provisions of this Act, the Amount of the Sum or Annuity payable to any Person as such Compensation as aforesaid, if not forthwith paid, shall be secured to such Person by Bond under the Common Seal of the Borough out of whose Funds the same shall be payable, in a sufficient Penalty, conditioned for the Payment to such Person, his Executors, or Administrators, or Assigns, of the Amount of such Sum, with Interest, and all Arrears thereof (if any) accrued due before the Date of such Bond; and when any Person shall be entitled to any Annuity, Pension, Allowance, Stipend, or Sum of Money, payable out of the Borough Fund of any Borough, the said Council of such Borough shall give such Bond, securing to such Person, his Executors, and Administrators, such Annuity, Pension, Allowance, Stipend, or Sum of Money, with all Arrears thereof (if any) accrued due before the Date of such Bond; and in the Case of any Borough named in the said Schedule (B)^b to which no such Charter of Incorporation shall have been granted as aforesaid, the Amount of the Sum or Annuity payable to any Person as such Compensation as aforesaid, if not forthwith paid, shall be secured to such Person by Certificate in Writing under the Seal of the Commissioners or Guardians acting for the Borough, out of the Town Fund of which the same shall be payable, stating that the Town Fund of the Town in which such Person shall be or have been in Office, is liable to the Payment to such Person, his Executors, Administrators, or Assigns, of the Amount of such Sum, with Interest, and all Arrears (if any) accrued due before the Date of such Certificate respectively; and when any Person shall be entitled to any Annuity, Pension, Allowance, Stipend, or Sum of Money, payable out of the Town Fund of any Borough which shall be sufficient for Payment thereof, the said Commissioners or Guardians acting for such Borough shall give a Certificate under their common Seal to such Persons that such Town Fund is liable to the Payment to such Person, his Executors and Administrators, of such Annuity, Pension, Allowance, Stipend, or Sum of Money, with all Arrears thereof (if any) accrued due before the Date of such Certificate: and every such Bond and Certificate shall be prepared and executed at the Expense of such Borough Fund or Town Fund respectively, and delivered to the Person entitled to such Compensation, as soon as conveniently may be after the Amount thereof shall have been determined as aforesaid by the said Council. Commissioners or Guardians, as the Case may be, or shall have been determined in the event of such

Expense of
Bond of Se-
curity for
Compensa-
tion to be
borne by
corporate
funds.^a Page 437.^b Page 428.

Appeal as aforesaid, by Order of the said Lords Commissioners of the Treasury.

“2 1. And be it enacted, That within Ten Days after the passing of this Act, the Poor Law Commissioners shall certify under their Hands and Seals to the Lord Lieutenant the Name of each of those Boroughs named in the said Schedule (A)^a in which any Rate for the Relief of the destitute Poor in Ireland shall have been then made; and as soon as any Rate for the Relief of the destitute Poor in Ireland shall have been made in any other of the Boroughs named in the said Schedule (A)^a shall certify under their Hands and Seal to the Lord Lieutenant that such Rate shall have then been made; and such Commissioners shall state in every such Certificate the Day on which such Rate shall have been made^b; and upon the Poor Law Commissioners so certifying as to any of the Boroughs named in said Schedule (A)^a the Lord Lieutenant shall cause such Certificate to be published in the *Dublin Gazette*, with a Declaration that upon the Day happening next after the Expiration of Twelve Calendar Months from the Day so to be stated in such Certificate, this Act shall be in force in such Borough or Boroughs respectively named in the Certificate; and upon such Day this Act shall come into Operation, commence and be in Force, in the Borough or Boroughs named in such Certificate.”

3 & 4 Vic.
c. 108,
MUNICIPAL
CORPORATIONS ACT,
1840.

Act to
come into
Operation, in
Boroughs in
Schedule (A)
12 Months
after Poor
Rate made
therein, as
certified by
Poor Law
Commission-
ers.

The following is an Abstract of the Schedules referred to in the foregoing provisions of the Municipal Corporations Act, from which they are abbreviated; some information being at the same time added to the Schedules and in the notes upon them, setting forth the dates of the first rates made in certain cases, the names of Unions in which the towns are situated, and other particulars.

SCHEDULE (A)^c.

Schedule
(A)^c.

This Schedule comprises Boroughs wherein the act took effect, under § 211, on the lapse of Twelve Calendar Months after the making of a Rate for Relief of the Poor. The following are the Names of the Boroughs mentioned in the Schedule appended to the act, and extracted there-

^a Page 437.

^b See dates so certified, herein added to the Schedule (p. 438).

^c See § 30, 75, 140, 157, 210, 211 (p. 414 *et seq.*); 6 & 7 Vic. c. 93, § 27 (p. 453); and see provisions as to Form of Rate in these Boroughs in 6 & 7 Vic. c. 92, § 10 (p. 118); and form prescribed, in General Order of 9 Sept. 1850 (Part. II. 6).

3 & 4 Vic.
c. 108,
MUNICIPAL
CORPORATIONS ACT,
1840.

from; the Dates of the first Poor Rate made therein, as certified by the Poor Law Commissioners in pursuance of the above section of the act, are here added.

Municipal Boroughs; (situate in Unions of the same names.)	Date of the first Poor Rate made in each; as certified by the Poor Law Commissioners. ^a
1. Belfast, . . .	15 December 1840.
2. Clonmel, . . .	15 December 1840.
3. Cork, . . .	30 December 1839.
4. Drogheda, . . .	18 February 1841.
5. Dublin ^b , . . .	9 April 1840 ^c .
6. Kilkenny, . . .	30 December 1841.
7. Limerick, . . .	5 September 1840.
8. Londonderry, . . .	14 October 1840.
9. Sligo, . . .	20 July 1841.
10. Waterford, . . .	6 November 1840.

Sch^d. (B.)

SCHEDULE (B)^d.

The following are the Names of the Boroughs mentioned in Schedule (B), and extracted therefrom: they are situate in the Unions of the same Names, where not otherwise shown herein.

Ardee,	Dingle,	Monaghan,
Armagh,	Dundalk,	Naas,
Athlone,	Dungannon,	Navan,
Athy,	Ennis,	New Ross,
Bandon,	Enniscorthy,	Portarlington,
Boyle,	Enniskillen,	(Mt. melick Union,)
Callan,	Fethard, (Cashel	Strabane,
Carlow,	Union,)	Tralee,
Carrickferguse,	Galway,	Trim,
(Larne Union,)	Gorey,	Tuam,
Cashel,	Kells,	Wexford,
Charleville, (Kilmal-	Kinsale,	Wicklow, (Rath-
lock Union,)	Longford,	drum Union,)
Clonakilty,	Maryboro', (Mount-	Youghal.
Coleraine,	melick Union,)	

^a See § 211 (p. 437).

^b See 12 & 13 Vic. c. 85 (p. 493), repealing part of the provisions of 3 & 4 Vic. c. 108, in reference to the Borough of Dublin, and substituting other provisions for that Borough.

^c In part of Dublin, a poor rate was made in March, 1840.

^d See § 13, 30, 103, 105, 106, 107, 140, 210 (p. 412 *et seq.*) ; 6 & 7 Vic. c. 93, § 26, 27 (p. 451-3) : and see provisions as to Form of Rate in these Boroughs, in 6 & 7 Vic. c. 92, § 10 (p. 118) ; and Form prescribed in General Order of 9th Sept. 1850 (Part II. 6.)

^e See special provisions as to Carrickfergus, in 6 & 7 Vic. c. 93, § 26 (p. 451).

SCHEDULE (D)^a.

“No. 1.

“The List of Burgesses of the Borough of _____ [or in the Parish, or Precinct, or Ward, of _____ in the Borough of _____.]

3 & 4 VIC.
c. 108,
MUNICIPAL
CORPORATION
ACT,
1840.

Sch^d. (D.)

Christian Name and Surname of each Person at full Length.	Street, Lane, or other Place in this Borough (or Parish, Precinct, or Ward in this Borough,) where the Property in respect whereof the Party is to be enrolled is situate.
Andrews, Peter,	No. 1, Green-street.
Brady, Thomas,	No. 3, White's-Lane.

Dated the ____ day of ____ in the year ____

(Signed) A. B.,

Churchwarden of the said Parish,

[or Town Clerk of the said Borough, or Alderman of the said Ward, &c.]”

“No. 6^b.

“List of Persons subject to the Payment of [here insert Poor Rate, Grand Jury Cess, Borough Rate, &c., as the Case may require] within the limits of the Borough of [here insert the Name of the Borough], and within the Collection of the undersigned Collector.

Name of Occupier.	Description of Property rated or assessed.	Name or Situation of the Property.	Amount of Poor Rate, Cess, or Tax (as the Case may be,) charged thereon.	To what Time paid up.

(Signed) C. D., Collector.”

SCHEDULE (H)^c.Sch^d. (H.)

Boroughs named in the said Schedule (B), in which the Body Corporate does not appear from the Report of the Irish Corporation Commissioners, presented to His late Majesty King William IV., in the year 1835,—to be seised or possessed of or entitled to Property exceeding in annual Amount or Value the sum of One Hundred Pounds:—situate in Unions of the same Names, where not otherwise shown herein.

Armagh,	Dundalk,	Longford,
Bandon,	Dungannon,	Maryboro' (Mount-
Boyle,	Ennis,	melick Union,)
Callan,	Enniscorthy,	Monaghan,
Charleville, (Kilmal-	Enniskillen,	Navan,
lock Union,)	Fethard. (Cashel U.)	Portarlinton, (Mt.
Dingle,	Gorey,	melick Union.)

^a See § 39, 40 (p. 418-9).

^b § 41 (p. 419). This section has since been repealed by 6 & 7 Vic. c. 93, § 1 (p. 444); and other provisions made by § 2 of the latter act (p. 445).

^c See § 13, 18 (p. 412-3).

3 & 4 Vic.
c. 108,
MUNICIPAL
CORPORATION
ACT,
1840.

SCHEDULE (I)^a.Sch^d. (I.)

The following are the Names of the Boroughs mentioned in Schedule (I), and extracted therefrom: they are situate in the Unions of the same Names, where not otherwise shown herein.

Ardfert, (Tralee Union,)	Hillsborough, (Lisburn Union,)
Athenry, (Loughrea Union,)	Mistiogeb ^b ,
Baltinglass,	Kilbeggan, (Tullamore Union,)
Bangor, (Newtownards Union,)	Kildare, (Naas Union,)
Belturbet, (Cavan Union,)	Killlileagh, (Downpatrick Un.)
Carlingford, (Dundalk Union,)	Kilmallock,
Castlemartyr, (Midleton Union,)	Lifford, (Strabane Union,)
Cavan,	Midleton,
Charlemont, (Armagh Union,)	Newtownards,
Duleek, (Drogheda Union,)	Thomastown.

3 & 4 Vic.
c. 109,
MUNICIPAL
ACT,
1840.

3 & 4 VICT. CAP. 109.

An Act to annex certain Parts of certain Counties of Cities to adjoining Counties; to make further Provision for Compensation of Officers in Boroughs; to limit the Borough Rate; and to continue for a limited Time an Act to restrain the Alienation of Corporate Property in Ireland.*

[*Passed, 10th August 1840.*]

EXTRACT.

Maximum
Rates of As-
sessment in
Boroughs.

“§ 10. AND be it enacted, That the maximum Rate of Assessment of every Borough Rate to be made in any Borough under the said recited Act^c shall in no Case in any Borough exceed One Shilling in the Pound, of the yearly Value of the Premises assessed thereto, at which the same shall be estimated for the Purpose of a Rate for the Relief of the destitute Poor. and shall not in any Borough in which an Act passed in the Ninth Year of the Reign of King George the Fourth, intituled, *An Act to make Provision for the lighting, cleansing, and watching of Cities, Towns Corporate, and Market Towns in Ireland, in certain Cases*^d, or in which any local Act or Acts providing for the paving, lighting, and cleansing of such Borough shall be in force, exceed Three Pence in the Pound of such yearly Value of the Premises so assessed to such Borough Rate as aforesaid: Provided always, that in any Case in which the Council of any Borough shall be entitled, as to the Whole or as to any Part of

Provisos.

^a See § 13, 19, 103, 105, 106, 107, 140 (p. 412 *et seq.*)

^b “Mistioge.” This appears to be a mistake or misprint in the statute, for the old borough of Inistiogue, in the county of Kilkenny (and in New Ross Union), there being no borough or town of the name used in the statute.

^c 3 & 4 Vic. c. 108 (p. 412).

^d 9 Geo. 4, c. 82, and list of towns, p. 407–8.

such Borough which shall not be within the Provisions of any local Act for lighting the same, to levy Rates for the Purpose of lighting such Borough, or such Part thereof, then the Rate to be levied within such Borough, or within such Part thereof, shall, in addition to the aforesaid Rate of Three Pence in the Pound, be of such an Amount as will be sufficient to cover the Expense of such lighting: Provided also, that in any Borough in which any Proportion of the Expense of the Constabulary Force in and for such Borough shall be payable out of the Borough Fund, then, in addition to the said Rate of Three Pence in the Pound, there may be levied a Rate of such an Amount as will be sufficient to cover the Expense of such Constabulary Force: Provided also, that in every such Case a separate Account shall be kept of all Monies so levied beyond the aforesaid Rate of Three Pence in the Pound, and such Monies shall be applicable only to the Purposes for which they shall have been levied; and such Account shall at all reasonable Times be open to the Inspection of every Rate-payer.

3 & 4 Vic.
c. 109,
MUNICIPAL
ACT,
1840.

Lighting;

Constabulary;

Accounts.

"11. And whereas Provision is made by the said recited Act^a for Compensation in certain Cases, and it is deemed expedient to make further Provision in relation thereto: And whereas an Act was passed in the last Session of Parliament, intituled, *An Act to restrain the Alienation of Corporate Property in certain Towns in Ireland*, whereby it is provided^b that no Person who should have been appointed to any Office or Place of Profit in or by any of the said Bodies Corporate, since the Sixteenth Day of February in the Year One thousand eight hundred and thirty six, should be entitled by reason of such Appointment, to have any Compensation for the Loss of such Office or Place of Profit, or of the Fees and Emoluments thereof, in case Provision should be thereafter made by Parliament for removing him, or authorizing his Removal from such Office or Place of Profit, or for amending or abolishing the same: Be it enacted, That every chartered Magistrate acting by Corporate Appointment, whose Duties and Fees shall have been regulated by any Act of Parliament now in Force in Ireland, and every Officer and every Person holding Office within any Borough or Body Corporate, except those appointed for the first time since the Sixteenth Day of February, One thousand eight hundred and thirty-six; and every Officer of any County who shall hold any Place or Office of Profit at the Time when the said first-recited Act shall come into Operation in such Borough^c, whose Office shall be abolished or cease or become unnecessary by reason of the said first-recited Act, or who shall be removed from his Office, and shall not be re-appointed thereto, under the Provisions of the

Compensation of Corporation Officers:

Chartered Magistrates and Officers.

3 & 4 Vic.
c. 108.

^a 3 & 4 Vic. c. 108, § 206, 210 (p. 433, 436).

^b 2 & 3 Vic. c. 76, § 2; and see 3 & 4 Vic. c. 108, § 206 (p. 433).

^c 3 & 4 Vic. c. 108, § 13 (p. 412), § 211 (p. 437).

3 & 4 Vic.
c. 109,
MUNICIPAL
ACT,
1840.

Compensa-
tion of
Corporation
Officers:

to be assessed
and paid by
Corporate
body, Guar-
dians, &c.

said first-recited Act^a, or deprived of Fees or Emoluments to which he would have been entitled if the said first-recited Act had not been passed, shall be entitled to have an adequate Compensation by way either of a Sum in Gross or of Annuity, at the Option of and to be assessed by the Council, Commissioners, or Guardians acting under the said first-recited Act for that Borough, and paid out of the Borough Fund, or Town Fund, or Corporate Property, or Funds vested in the Guardians, under the said first-recited Act, as the Case may be, for the Salary, Fees, and Emoluments of the Office which he shall so cease to hold, or for the Fees or Emoluments of which he shall be so deprived, as aforesaid, regard being had to the Manner of his Appointment to the said Office, and his Term or Interest therein (whether such Person shall have held his Office for Life, or the Usage shall have been such as to raise a just Expectation that the Office would continue for Life, although in compliance with some Charter, Custom, Bye Law, or Statute, such Person may have been subjected to an annual or other periodical Election), and all other Circumstances of the Case; and every Person entitled to such Compensation as aforesaid, shall deliver to the Town Clerk, or in Case such Person shall himself be Town Clerk, then to the Treasurer of the Borough, a Statement, under the Hand of such Person, setting forth the Amount received by him or his Predecessors, in every Year during the Period of Five Years next before the passing of the said first-recited Act^a on account of the Salary, Fees, Emoluments, Profits, and Perquisites in respect whereof he shall claim such Compensation, distinguishing the Office, Place, Situation, Employment, or Appointment in respect whereof the same shall have been received, and containing a Declaration that the same is a true Statement, according to the best of the Knowledge, Information, and Belief of such Person, and also setting forth the Sum claimed by him as such Compensation; and the Town Clerk or Treasurer, as the Case shall be, shall lay such Statement before the Council, Commissioners, or Guardians acting under the said first-recited Act^a, for that Borough, who shall take the same into Consideration, and determine thereon; and immediately upon such Determination being made, the Person preferring such Claim, if he shall not himself be the Town Clerk, shall be informed thereof by Notice in Writing, under the Hand of the Town Clerk, and in Case such Claim shall be admitted in Part and disallowed in Part, such Notice shall specify the Particulars in which the same shall have been admitted and disallowed respectively; and in Case the Person preferring such Claim shall think himself aggrieved by the Determination of the Council, Commissioners, or Guardians acting under the said first-recited

Appeal to
Treasury;

Act for that Borough thereon, or in Case One Third of the Members of the Council, Commissioners, or Guardians acting under the said first-recited Act for that Borough, shall subscribe a Protest against the Amount of Compensation allowed by such Determination as excessive, it shall be lawful for the Person preferring such Claim, or any Member of the Council, Commissioner, or Guardian, as the Case may be, who shall subscribe such Protest, to appeal to the Commissioners of Her Majesty's Treasury, who shall thereupon make such Order as to them shall seem just; and such Order signed by Three or more of such Commissioners, shall be binding on all Parties: Provided always, that if the Council, Commissioners, or Guardians so acting for such Borough, shall not determine on such Claim within Six Calendar Months after the aforesaid Statement shall be delivered to the Town Clerk or Treasurer, as the case shall be, such Claim shall be considered as admitted: Provided also, that it shall not be lawful for any Member of the Council, Commissioner, or Guardian, to subscribe such Protest as aforesaid, except within such Period of Six Calendar Months: Provided also, that the Person preferring such Claim, if any Member of the Council, Commissioner, or Guardian shall so require, upon receiving Notice in Writing, signed by the Town Clerk, unless such Person shall himself be Town Clerk, in which case no such Notice shall be requisite, shall from Time to Time attend at any Meeting or adjourned Meeting of the Council, Commissioners, or Guardians, for the Investigation of such Claim, and then and there, upon his Oath or solemn Affirmation, to be taken or made before the Mayor or Chairman, (who is hereby authorized to administer the same,) shall answer all such Questions as shall be asked by any Member of the Council, Commissioner, or Guardian, touching the Matters set forth in the Statement subscribed by such Person as aforesaid, and produce all Books, Papers, and Writings in his Possession, Custody, or Power, relating thereto: Provided also, that it shall be lawful for any such Town Clerk to include in the Amount of Compensation to be so claimed by him, not only the Salary and just Emoluments of his Office of Town Clerk, but also the Profits derived from the Performance of the legal Business of the Body Corporate of the Borough in which he shall be such Town Clerk, executed by him in or by reason of his official Capacity, and the just Emoluments of any other Corporate Appointment held by such Town Clerk and usually held in conjunction with or attached or annexed to the Office of Town Clerk: Provided also, that in any Case in which such Town Clerk, or any other Officer of any such Borough, shall hold his Office for Life or during good Behaviour, or where the Usage has been such as to raise a just Expectation that the Office shall continue for the Life of the Holder, a Compensation of not less than

3 & 4 Vic.
c. 109,
MUNICIPAL
ACT,
1840.

—
Compensation of
Corporation
Officers :

decision of
Treasury
final.

3 & 4 VIC.
c. 109,
MUNICIPAL
ACT,
1840.

Compensation
of
Corporation
Officers.

Two-thirds of his Profits may be granted to such Officer, calculated upon an Average of his just Emoluments, or those of his Predecessors, for the Five Years next before the passing of the said first-recited Act^a: Provided also, that every such Officer who shall be continued in or re-appointed to such Office under the Provisions of this Act, and who shall be subsequently removed from such Office for any Cause other than such Misconduct as would warrant Removal from any Office held during good Behaviour, shall be entitled to Compensation in like Manner as if he had been forthwith removed under the Provisions of this Act, and had not been continued in or re-appointed to such Office: Provided also, that the Provisions hereinbefore contained, with respect to such Notice, Protest, and Appeals as aforesaid, and with respect to the said Commissioners of the Treasury making such Order as aforesaid, and with respect to the Person claiming Compensation delivering such Statement, and attending such Meeting or Meetings, and submitting to such Examination on Oath, and answering such Questions, and producing such Books, Papers, and Writings as aforesaid, and with respect to the Powers of Investigation of the Town Council, and all other Matters in respect of such Claim, shall apply to any Claim or Compensation of any of the Persons in the said first-recited Act^a mentioned or specially provided for."

6 & 7 VIC.
c. 93,
CORPORATIONS
AMENDMENT
ACT,
1843.

6 & 7 VICT. CAP. 93.

An Act to amend an Act of the Third and Fourth Years of Her present Majesty^a for the Regulation of Municipal Corporations in *Ireland*.

[Passed, 24th August 1843.]

EXTRACTS.

3 & 4 Vic.
c. 108:
Repeal of
§ 41 thereof,
requiring
Collectors to
make Lists of
Rate-payers.

"§ 1. 'WHEREAS an Act was passed in the Session of 'Parliament holden in the Third and Fourth Years of the 'Reign of Her present Majesty, intituled *An Act for the 'Regulation of Municipal Corporations in Ireland*, whereby 'it was amongst other Things enacted^b, that the several 'and respective Collectors of the Poor Rates and of all 'Grand Jury and Municipal Cesses, Rates, and Taxes 'payable within any Borough in which the said Act should 'come into Operation shall, on or before the Third Day of 'September in every Year, make out, or cause to be made 'out, according to a certain Form, an alphabetical List of 'all Persons who shall be subject to the Payment of such 'Poor Rate, Cesses, Rates, or Taxes within the Limits of 'such Borough, and within the Collection of the Person

^a 3 & 4 Vic. c. 108 (p. 412).

^b § 41 of 3 & 4 Vic. c. 108, (p. 419), hereby repealed.

‘ by whom or by whose Direction the same shall be made out; and that every such Collector shall sign the List so to be made out for his collection, and cause a true Copy of such List to be prepared, and keep the same, to be perused by any Person, without Payment of any Fee, at all reasonable Times during the Ten Days next after the said Third Day of *September*, and on the same Third Day of *September* deliver the List, so signed by him as aforesaid, to the Town Clerk of such Borough; and that such Town Clerk shall forthwith cause to be printed true Copies of every such List, and deliver One or more of such respective printed Copies to any Person applying for the same, on Payment of a reasonable Price not exceeding One Shilling for each Copy;’ And whereas the said Enactment has been found inconvenient and expensive, and it is expedient that the same should be repealed, and other Provision made in lieu thereof: Be it therefore enacted by, &c., That the herein-before recited Enactment shall be and the same is hereby repealed, save and except so far as relates to any Matter or Thing done in pursuance thereof before the passing of this Act.

“2. And be it enacted, That on or before the Eighth Day of *September* in every Year, the Town Clerk of any Borough in which the said Act now is or hereafter shall come into Operation shall, in a Book to be by him provided for that Purpose, enter the Names of all Persons who shall appear to be entitled to be enrolled as Burgesses of such Borough in the Burgess Roll then next to be made in right of Inhabitaney and Occupation and Rating according to the Provisions of the said recited Act^a, with the Premises in respect whereof they may be so entitled; and all such Names shall be arranged alphabetically, and numbered, beginning the Numbers from the first Name in such Book, and continuing them in a regular Series to the last Name in such Book; and such Book shall be made out according to the Form in the Schedule (A)^b to this Act annexed, with so many Columns as may be necessary for the Insertion of the Particulars herein-after mentioned, of the several Cesses, Rates, or Taxes payable within such Borough: Provided always, that in every Borough divided into Wards there shall be separate Books for each Ward, and that the Names of the Persons appearing to be entitled as aforesaid to be enrolled as Burgesses for such Borough shall be entered in the Book for the Ward wherein the Premises by the Inhabitaney, Occupation, and Rating whereof they may appear to be so entitled, shall be situate; and the Town Clerk of such Borough shall, Two Days at the least before the said Eighth Day of *September* in every Year, summon or cause to be summoned the Collectors of all Rates for the

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Town Clerk to enter in a Book Alphabetically, the Names of Persons entitled to be enrolled as Burgesses;

Form prescribed:

separate Books for Wards.

Collectors of Rates, &c., on Summons, to attend at Office of Town Clerk:

^a 3 & 4 Vic. c. 108, § 30-34, (p. 414-418). See 12 & 13 Vic. c. 85, § 10, as to Borough of Dublin (p. 497).

^b Sic: there is annexed to the act only one schedule, for which see p. 455.

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and enter
particulars as
to Rates, &c.

On Comple-
tion of such
Entries,
Town Clerk
to give Public
Notice, and
permit the
Book to be
perused,

and to supply
Copies or
Extracts.

Extension of
the Power
exercisable
over Lands,
&c. with the
Approbation
of the Treas-
ury.

Repeal of
9 G. 4, c. 82,

Relief of the Poor, and of Grand Jury and Municipal Cesses, and of all Rates and Taxes payable in respect of Premises within such Borough, and also the Treasurer of such Borough, and, if there be no Treasurer, the Mayor of the said Borough, to attend at his Office, at such Time or Times within the Seven Days next succeeding the said Eighth Day of *September* as he shall think necessary, with all necessary Books, Papers, Vouchers, and Accounts; and they and each of them shall themselves or by their sufficient Deputies attend accordingly at the Office of the said Town Clerk, and shall, in such Order as the said Town Clerk shall direct for the more convenient Despatch of Business, enter in the Columns of the said Book appropriated to the Taxes, Rates, or Cesses within their Collection respectively the Amount of the last Tax, Rate, or Cess, paid by each Person named in such Book, or paid on account of the Premises in respect whereof such Person may be entitled to be enrolled as aforesaid, and the Date of such Payment, and the Amount of the Tax, Rate, or Cess (if any) then due and unpaid by each such Person, or in respect of such Premises as aforesaid, and the Date when the same became due and payable, and shall sign the said Columns; and on the Completion of the Entries so to be made in the said Book, the said Town Clerk shall cause a Notice thereof to be fixed on or near the outer Door of the Town Hall, or in some public and conspicuous Place within the Borough, and shall keep the said Book in his said Office, to be perused by any Person, without Payment of any Fee, at all reasonable Hours during the last Ten Days of *September* (*Sunday* excepted), and shall deliver a Copy thereof, or any Extract therefrom, to any Person requiring the same, on Payment of a reasonable Price, not exceeding one Halfpenny for every Name, with the Entries attached thereto, which may be included in such Copy or Extract so required; and that such Copy or Extracts as aforesaid shall be delivered by the Town Clerk within Four Days from the Date of the Application."

"7. And be it enacted, That the Power of Disposition allowed by the said Act^a over the Lands, Tenements, and Hereditaments of any Body Corporate in the said Act mentioned, to be exercised with the Approbation of the Commissioners of Her Majesty's Treasury, or any Three of them, shall extend to the Disposition of such Lands, Tenements, and Hereditaments, with such Approbation as aforesaid, whether by way of absolute Sale or by way of Exchange, Mortgage, or Charge, Demise, or Lease, and to every other Disposition of the same whatsoever, which shall be so approved of as aforesaid."

"12. And be it enacted, That those Parts^b of the said recited Act of the Ninth Year of the Reign of King

^a 3 & 4 Vic. c. 108, § 141 (p. 428).

^b 9 Geo. 4, c. 82, § 4, 5, 11, &c. (p. 409.)

George the Fourth which make it necessary, to entitle any Person to vote at any Meeting convened under the Provisions of the said Act, or to render any Person eligible to be elected a Commissioner at the first Election of Commissioners under the said Act, that such Person shall be or have been charged or assessed by the last Rate made at Vestry, in the Parish wherein he may dwell, for or in respect of a Dwelling House or other Tenement in any Amount whatsoever, shall be and the same is hereby repealed; without Prejudice nevertheless to any Thing done or Election made previous to the passing of this Act.

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so far as relates to voting according to the Vestry Rate, or to qualification for Election from being assessed therein.

“13. And be it enacted, That at any Meeting convened after the passing of this Act for the purpose of carrying the said last-recited Act^a into execution, or any Adjournment thereof, no person shall be admitted or entitled to vote unless he shall have been rated under the Act for the more effectual Relief of the destitute Poor in Ireland, or any Act amending the same, by the last rate made in the Union wherein he shall dwell, in respect of Lands, Tenements, or Hereditaments of the net annual Value of Five Pounds or upwards, nor unless he shall have paid all such Poor Rate as shall have become legally due and been demanded from him; and that no Person shall be eligible to be elected a Commissioner at the first Election of Commissioners under the said Act, unless he shall have been so rated to the Relief of the Poor by the last Rate made in the Union wherein he shall dwell, in respect of Lands, Tenements, or Hereditaments of the net annual Value of Twenty Pounds or upwards, nor unless he shall have paid all such Poor Rate as shall have become legally due and been demanded from him.

Qualification for Voters at Meetings under 9 G. 4, c. 82:

for Commissioner.

“14. And be it enacted, That if any Controversy shall arise at any such Meeting or Election as to the Qualification, or Right of Voting, or Eligibility of any Person, such Controversy shall be determined by reference to the Rate Book or Rate Books of the Guardians of the Poor Law^b of the Union or Unions in which such City, Town Corporate, Borough, Market Town, or other Town is situate; and for this Purpose, the Clerk to the Guardians of each such Union shall attend such Meeting and Election, and shall then and there produce the Rate or Valuation Book of such Union, in order that reference may be had thereto, if necessary, as aforesaid; and shall point out to the Person or Persons presiding at such Meeting the Entry in the said Book of Rating of the Person whose Vote or Eligibility shall so be in Controversy as aforesaid; and the Person or Persons so presiding at such Meeting as aforesaid shall give Judgment accordingly: and if any Clerk of any Union shall refuse or neglect to attend any such Meeting or Election so convened as aforesaid, he having

Disputes as to Qualification to be determined by Poor Rate Book:

Union Clerk to attend with Rate or Valuation Books:

Penalty on Union Clerk for Non-attendance after Notice.

^a 9 Geo. 4, c. 82 (p. 407), now superseded by the Towns Improvement Act, 1854, (p. 456).

^b Sic.

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been required to do so by a Notice in Writing signed by the Person or Persons authorized to preside at such Meeting or Election, or by any One of them, such Notice being either served upon him personally, or left for him at the Workhouse of such Union, he shall, on being convicted thereof before any Two or more Justices of the Peace, forfeit and pay any Sum not exceeding Twenty Pounds, together with the Costs of suing for and recovering or levying the same, to be recovered and levied in like Manner as all other Forfeitures, Fines, or Penalties are made recoverable and directed to be levied by the said Act.

Municipal
Registry of
5l. and 20l.
Household-
ers to be
framed upon
the Poor
Rate Valua-
tion.

“15. And be it enacted, That in framing the Registry, which the Commissioners acting in the Execution of the said Act are thereby required to keep^a, and from Time to Time to revise and amend, of Householders occupying Houses of the annual Value of Five Pounds or upwards, and of Householders occupying Houses of the annual Value of Twenty Pounds or upwards, such Commissioners shall have regard to the Valuation made for the Purposes of the Poor Rate under the said recited Act for the more effectual Relief of the destitute Poor in Ireland, or any Act amending the same; and that the annual Value of Five Pounds and upwards, and the annual Value of Twenty Pounds or upwards, with reference to which such Registry is to be formed, shall be deemed and taken to be the net annual Value as ascertained by the Valuation made for the Purposes of the said last-mentioned Act or Acts.

Repeal of
9 G. 4, c. 82,
so far as
directs the
Municipal
Commission-
ers to make a
Valuation for
the Purposes
of the Act:

“16. And be it enacted, That those Parts of the said recited Act which direct or require^b the Commissioners acting in Execution thereof to make a Survey and Valuation for the Purposes of the said Act, and as direct the Rates and Assessments which such Commissioners are authorized to levy to be apportioned in certain Proportions according to such Valuation, shall be and the same are hereby repealed; without Prejudice nevertheless to any Apportionment heretofore made, or to the Recovery of any Rate or Assessment payable thereunder.

Assessments
to be founded
on Poor Rate
Valuations.

“17. And be it enacted, That from and after the passing of this Act, every Rate to be at any time made by any Commissioners now or hereafter acting in the Execution of the said Act of the Ninth Year of King *George* the Fourth^c shall be apportioned, raised, and levied on the Owners, Occupiers, and Tenants of the Houses, Shops, Warehouses, Cellars, Mills, Yards, Gardens, and Tenements liable to be rated and assessed under the Provisions of the said Act, according to the net annual Value thereof respectively as the same now are or shall from Time to Time be hereafter valued and rated under the said recited

^a 9 Geo. 4, c. 82, § 21.

^b 9 Geo. 4, c. 82, § 35, 37.

^c 9 Geo. 4, c. 82, § 38 (p. 410).

Act for the more effectual Relief of the destitute Poor in Ireland, or any Act or Acts amending the same: Provided always, that nothing herein contained shall extend to or affect the Provisions made by the said Act as to the relative Proportions of the said Rates to be imposed upon Premises of different Value^a, or any other Provision of the said Act in respect of such Rates, save only as herein-before provided in respect of the Substitution of the Valuation under the said Act for the more effectual Relief of the destitute Poor, for a Valuation to be made by the Commissioners for the special Purposes of the said Act of the Ninth Year of King George the Fourth.

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Proviso.

“18. And whereas certain Hereditaments by the herein-before recited Act of the Ninth Year of King George the Fourth made chargeable for the Purposes of the said Act^b may not be rateable for the Relief of the Poor, and upon that Ground have not been or may not have been included in the Valuation made for the Purposes of Poor Rates; and it is expedient that all such Property, although not so rateable, should be valued in like Manner and upon the same scale as that which is so rateable or rated: And whereas in the Valuation made for the Purpose of Poor Rates Dwelling Houses may be in certain Cases valued together with Property not comprehended in that Term, and a separate Valuation of such Dwelling Houses is necessary for certain Purposes of the said Act; be it therefore enacted, That in all Cases of Property which is or shall be liable to the Payment of any Rate or Assessment under the Provisions of the herein-before recited Act^b, and which is or shall be by Law exempted from the Rate, or not rateable to or which shall not be included in the Rate for the Relief of the Poor in the Union wherein the same may be situate, and in the Case of Dwelling Houses valued together with other Property, the Poor Law Commissioners shall cause to be made and declared separate Valuations^c of all or any such Property and Dwelling Houses situate in any Ward or Townland, or other Denomination proper for that Purpose within the Union, in like manner as by Law they now are or hereafter may be authorized, required, or directed with respect to Hereditaments liable to be rated as aforesaid; and every such separate Valuation of Property not liable to be rated to the Relief of the Poor shall contain in a separate Column a Statement of the Ground of such Exemption; and all such separate Valuations, when made, shall be subject in all

Poor Law
Commissioners to have
separate
Valuations
made of Property
liable to Municipal
Rates, but
not liable to
Poor Rates.

^a 9 Geo. 4, c. 82, § 39 (p. 411).

^b 9 Geo. 4, c. 82, § 38 (p. 410), and § 43 (p. 412).

^c Instructions issued by the Poor Law Commissioners, and forms for separate and supplemental Valuations under § 18 & 19 of this act, were contained in the *Compendium*, 3rd edit., p. 549-50: but it appears unnecessary to repeat them here, other provision being made in the General Tenement Valuation Act of 1852, 15 & 16 Vic. c. 63 (p. 352, 365.)

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1843.

Copies of
separate
Valuations
to be furnish-
ed by Clerk
of Guardians.

Copies of
Poor Rates
and supple-
mental Va-
luations to be
made by
Clerk of
Union:

and any ad-
ditions and
Alterations
to be copied
and delivered
by the Clerk
of Guardians.

Rate or Va-
luation, or
certified
Copy to be
taken as con-
clusive Evi-
dence.

Modification
of part of 9
G. 4, c. 82,
§ 9.

respects to the like Right of Appeal, Regulations, Additions, or Alterations, and shall be of like Force and Effect, under the Provisions of this Act, as any Valuation made for the Purposes of a Rate for the Relief of the Poor, as nearly as the Circumstances of the Case will admit; and Copies of such separate Valuations shall be furnished by the Clerk of the Guardians of the Poor of such Union in the same Manner and within the same Period, as is herein-after directed^a with respect to Copies of the Rates.

“19. And be it enacted, That within Twenty-one Days after the first Election of Commissioners under the Provisions of the said Act of the Ninth Year of the Reign of His Majesty King George the Fourth^b in any City, Borough, or Town wherein such Act may not now be in Operation, and on or before the First Day of *August* in every Year in each City, Borough, or Town where the said Act may now or then be in Operation, the Clerk of the Guardians of the Poor of each Union situate wholly or in part within such City, Borough, or Town, or within the Limits of the Jurisdiction of the said Commissioners, shall make out a true and perfect Copy of the then last made Rate for the Relief of the Poor therein, and of such supplemental or separate Valuations as are herein-before directed to be made^c, or of so much of them or either of them as shall relate to any Property liable to be rated under the Provisions of the said recited Act, and as shall be required by the said Commissioners, and shall deliver the same, attested and certified by him, to the said Commissioners; and such Clerk of the Guardians of each Union as aforesaid, from Time to Time, and as often as any Additions to or Alterations in the said Rate for the Relief of the Poor shall have been made, whether by Appeal or otherwise, shall, within Ten Days after such Rate and supplemental Valuation shall have been so added to or altered, make true and perfect Copies of such Additions or Alterations, and deliver the same, attested and certified by him, to the said Commissioners.

“20. And be it enacted, That the Entry of such Rate, or supplemental Valuation, or in the Absence of the Original such attested and certified Copy of such Rate or supplemental Valuation, Addition, or Alteration as aforesaid, shall in all Cases be and be deemed and taken to be conclusive Evidence of all the Matters contained therein.

“21. And whereas it was by the said recited Act provided^d, that if any Meeting convened pursuant to the Provisions of the said Act, should determine against adopting and acting upon the Provisions of the said Act, such Meeting should adjourn *sine die*; and that it should not be competent for any Householder within the same City,

^a § 19.

^b 9 Geo. 4, c. 82, (p. 407.)

^c § 18: and see note ^e thereon, in preceding page.

^d 9 Geo. 4, c. 82, § 9.

Borough, or Town, to make any such Application as in the said Act described, nor should any such Orders and Directions as in the said Act mentioned, issue for convening a like Meeting within the same City, Borough, or Town, for and during the Term of Three Years, computed from the Term^a of Adjournment aforesaid; and that at and after the Completion of such Term it should become again competent to make such Application, and thereon to issue such Orders and Directions as aforesaid: And whereas it is expedient with regard to the Operation of the said Act for the Regulation of Municipal Corporations in Ireland^b, to authorize the Adoption of the Provisions of the said Act of the Ninth Year of King George the Fourth^c, notwithstanding a previous Determination of any Meeting convened as aforesaid to the contrary; Be it therefore enacted, that at any Time within Twelve Calendar Months next after the passing of this Act, it shall and may be competent, notwithstanding any such previous Proceedings under the said Act within three Years then unexpired, for the Householders in any City, Borough, or Town to make such Application as in the said Act mentioned, and for the Lord Lieutenant or other Chief Governor or Governors of Ireland, to give such Orders and Directions as in the said Act mentioned; and that thereupon all such and the like Proceedings shall and may be had as if the Term of Three Years from Adjournment of any such former Meeting had expired, or as if no such Meeting had been at any Time held in such City, Borough, or Town.^d

“26. And whereas, by virtue of the Provisions of the said recited Act for the better Regulation of Municipal Corporations in Ireland, the Body Corporate named in the Schedule (B) to the said Act annexed^e in conjunction with the Borough of *Carrickfergus*, was dissolved on the Twenty-fifth Day of October One thousand eight hundred and forty-one, and the said Act then came into Operation within the said Borough: And whereas it was by the said recited Act provided, that on the said Twenty-fifth day of October, One thousand eight hundred and forty-one, in any Borough named in the Schedule (G) to the said Act annexed in which there should not then have been elected Commissioners under the therein recited Act of the Ninth Year of the Reign of King *George* the Fourth, there should be constituted, according to the Provisions therein-after contained a Board of Commissioners for the Disposition of the Property of the Body Corporate named as aforesaid in conjunction with such Borough, to be called the Municipal Commissioners of such Borough, until the Grant of a Charter of Incorpora-

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Application
to Lord Lieu-
tenant for
adoption of
provisions of
9 G. 4, c. 82.

Borough of
*Carrickfer-
gus*: making
of first Poor
Rate, and
Election of
local Com-
missioners.

^a Sic: time? ^b 3 & 4 Vic. c. 108 (p. 412.) ^c 9 Geo. 4, c. 82, § 9.

^d The provisions of 9 Geo. 4, c. 82, here referred to, are now superseded by the provisions of the Towns Improvement Act, 1854, (p. 456).

^e 3 & 4 Vic. c. 108; Schedule B, p. 438.

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TIONS
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Constitution
of Municipal
Commission-
ers for Car-
rickfergus,
after first
Poor Rate.

tion or the Election of Commissioners under the Act of the Ninth Year of King George the Fourth therein mentioned: And whereas the said Borough of *Carrickfergus* is one of the Boroughs named in the said Schedule (G); and no Commissioners were, on the said Twenty-fifth Day of October, One thousand eight hundred and forty-one, nor are any now elected in or for such Borough under the said Act of the Ninth Year of the Reign of King George the Fourth: And whereas under the Provisions of the said Act for the Regulation of the Municipal Corporations in Ireland, it was among other Things required, in order to entitle any Person to vote at the Election of Municipal Commissioners in any Borough, that he should have been rated to the Relief of the Poor, in respect of Premises within such Borough, for the Space of Twelve Calendar Months at the least next preceding the last Day of August in the said Year One thousand eight hundred and forty one^a: And whereas no Rate for the Relief of the Poor was made in the Union whereof the said Borough of *Carrickfergus* is an Electoral Division until the Seventh Day of December One thousand eight hundred and forty-two, and by reason thereof the Provisions of the said Act for the Constitution of Municipal Commissioners within the said Borough have been rendered ineffectual; be it therefore enacted, That in this present Year a Board of Municipal Commissioners shall be constituted in the said Borough of *Carrickfergus*, in like Manner as such Board might or ought to have been constituted therein in the said Year One thousand eight hundred and forty-one, if a Rate for the Relief of the Poor had been made in the Union whereof the said Borough is an Electoral Division Twelve Calendar Months previous to the said last Day of August in the said Year One thousand eight hundred and forty-one; and that all and every the Provisions of the said recited Act for the better Regulation of Municipal Corporations in Ireland relative to the electing and appointing of Municipal Commissioners in the said Year One thousand eight hundred and forty-one, shall apply and extend to the Election and Appointment of Municipal Commissioners for the said Borough of *Carrickfergus* in this present Year, save as such Provisions may be altered by this Act; and that all Acts, Matters, and Things directed or required to be done in the first Year in which the said Act should come into Operation in any Borough shall, save as aforesaid, be done in this present Year in the said Borough of *Carrickfergus*, as if the said Act had come into Operation in the said Borough in this present Year; and provided also, that every Person otherwise qualified to vote at the Election of Municipal Commissioners for the said Borough shall be entitled to vote at the Election of such Commissioners in this present Year, who shall have been rated

^a 3 & 4 Vic. c. 108, § 30 (p. 414).

to the Relief of the Poor in respect of such Premises as in the said Act mentioned, for the Space of Six Calendar Months next preceding the last Day of August in this present Year, instead of Twelve Calendar Months, as by the said Act required; and that from and immediately after the Appointment of such Municipal Commissioners under this Act, all the Lands, Tenements, Estates, and Property, real or personal, which were vested in the said late dissolved Body Corporate named in the Schedule (B) to such recited Act annexed^a in conjunction with the Borough of *Carrickfergus*, and all Rents, Issues, and Profits that have accrued thereout since the Dissolution of the said Corporate Body, shall become vested in the said Municipal Commissioners and their Successors; and that the said Municipal Commissioners and their Successors shall have such and the same Estate and Interest therein, and such and the same Title thereto, as against all Persons and Bodies Corporate and Politic, including the Queen's most Excellent Majesty, Her Heirs and Successors, as was vested in the said late dissolved Body Corporate at or immediately before the Dissolution thereof, subject nevertheless to the same Leases, Charges, and Incumbrances, or such of them or such Part thereof as are still subsisting, as the same were subject to in the Hands of the said late dissolved Body Corporate: Provided always, that upon the Grant of any such Charter of Incorporation as in the said Act mentioned, or upon the Election of Commissioners under the said Act of the Ninth Year of King George the Fourth^b, such Board of Commissioners shall cease, and all the said Estate and any Accumulation thereof shall forthwith, without any Conveyance thereof, vest in the Body so incorporated, or in the Commissioners elected under the said Act of the Ninth Year of King George the Fourth where no such Charter shall then have been granted, as the Case may be; and in case such Estate and Accumulation shall so have vested in such Commissioners under the said Act of the Ninth Year of King George the Fourth, the same shall be applied by such Commissioners in aid of the Rates to be levied by them under the said Act, and the Surplus thereof, if any, shall be applied by them for the public Benefit of the Inhabitants and Improvement of the Borough until such Charter may at any Time afterwards be granted; and upon the Grant of any such Charter, and the Election of a Council under its Provisions, the Powers of the said Commissioners as to the said Estate shall cease, and all the said Estate and any Accumulation thereof shall forthwith, without any Conveyance thereof, vest in the Body so incorporated.

“27. And whereas by the said first-recited Act it is enacted^c, that after the same should come into Operation

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Borough of
Carrickfergus.

Qualifica-
tions of Bur

^a 3 & 4 Vic. c. 108; Schedule B, p. 438.

^b 9 Geo. 4, c. 82 (p. 407).

^c 3 & 4 Vic. c. 108, § 30 (p. 414).

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gesses and
Voters at
Elections
under the
Municipal
Acts:

Doubts re-
moved.

What deem-
ed sufficient
Occupation
and Payment
of Rates to
entitle a Per-
son to be en-
tered on the
Burgess Roll.

in every Borough named in Schedule (A) to such Act annexed^a, and also in any Borough named in Schedule (B) thereto annexed^b, or other Town to which a Charter of Incorporation under the said Act should be granted, every Man of full Age who on the last Day of August in any Year should be an Inhabitant Householder, and should for Six Calendar Months previous thereto have been resident as such within such Borough, or within Seven Statute Miles of such Borough, and who should occupy within such Borough any House, Warehouse, Counting House or Shop, which, either separately or jointly with any Land within such Borough occupied therewith by him as Tenant, or occupied by him therewith as Owner, should be of the clear yearly Value of not less than Ten Pounds, determined in Manner in the said Act mentioned, should, if duly enrolled according to the Provisions in such Act contained, be a Burgess of such Borough; provided that no such Occupier should be admitted to be enrolled as a Burgess unless he should have been rated to the Relief of the Poor under the Act made for the Relief of the destitute Poor in Ireland, and should have occupied such Premises within the said Borough, or other Premises of the like Nature, and rated as aforesaid, for the Space of Twelve Calendar Months at the least next preceding such last day of August: And whereas Doubts have arisen how far any Misnomer or inaccurate or insufficient Description in a Rate, of the Person occupying any such Premises as in the said recited Act are mentioned, or any inaccurate Description of the Premises so occupied, has the Effect of preventing any such Person from being enrolled as a Burgess and entitled to vote in respect of such Premises in any Year: Be it therefore declared and enacted, that where any Person shall have occupied such Premises as in the said recited Act are mentioned for Twelve Calendar Months next previous to the last day of August in any Year, and such Person, being the Person liable to be rated for such Premises, shall have been *bonâ fide* called upon in respect of such Premises to pay, and shall have *bonâ fide* paid, on or before the last Day of August in such Year, all Rates for the Relief of the Poor made in respect of such Premises which he would be required to pay in order to be enrolled as a Burgess for such Borough if he had been named in such Rate as the Occupier of such Premises, such Person shall be considered as having been rated to the Relief of the Poor and paid all such Rates in respect of such Premises within the Meaning of the said recited Act, and be entitled, if otherwise qualified, to be enrolled as a Burgess of such Borough in respect of such Premises in any Year, any Misnomer or insufficient Description in any Rate, of the Person so occupying, or of the Premises occupied, notwithstanding."

SCHEDULE to which this Act refers^a.

List of PERSONS appearing entitled to be enrolled as Burgesses of the Borough of _____ (in the Ward of _____) in the Burgess Roll next to be made, in right of Inhabitanacy and Occupation and Rating.

Dated this 8th September, 1843.

John Thompson, Town Clerk.

Number.	Name.	Residence.	Situation of Qualifying Property.	Description of Property.	POOR RATE.				PAVING RATE.				And so for any other Rates or Cesses, as the Case may be.
					Amount of last Payment.	Date of last Payment.	Amount (if any) due.	Date when due.	Amount of last Payment.	Date of last Payment.	Amount (if any) due.	Date when due.	
1	Adams, John	3, John-street	3, John-street	House	£ 1 5 0	1 May	£ 1 10 0	10 June	£ 1 2 6	10 July	—	—	
2	Albin, William	9, Park-street	6, High-street	Shop.	2 10 0	6 April	5 0 0	1 July	1 5 0	1 Jan.	1 5 0	1 July	
3	Burn, Edward	Boosterstown	10, Essex-street	Warehouse	3 5 0	1 July	—	—	0 15 0	10 July	—	—	
4	Casey, Patrick	Chapelized	12, Mount-street	Shop.	3 10 0	16 Jan.	3 10 0	29 May	1 10 0	2 Feb.	1 10 0	2 May	
					Henry Johnston, Collector.				Thos. Brown, Collector.				

^a § 2 (p. 445.)

TOWNS IMPROVEMENT ACT, 1854.

17 & 18 VIC.
c. 103,
TOWNS
IMPROVE-
MENT ACT,
1854.

17 & 18 VICT. CAP. 103.

An Act to make better Provision for the Paving, Lighting, Draining, Cleansing, Supplying with Water, and Regulation of Towns in *Ireland*.

This act, passed 10th August, 1854, and to be cited as "The Towns Improvement (Ireland) Act, 1854," (§ 2), gives important and extensive powers for the purposes described in its title, and for various purposes of sanitary and police regulation more specifically described below.

The Cities of Dublin, Cork, Limerick, and Londonderry, and the Town of Belfast (which are already under Local Acts) are exempted (§ 100) from the operation of the act, which may be applied to any other "Town;" this term including any "City, Town Corporate, Borough, Market Town, or other Town in Ireland, containing a population of 1,500 Inhabitants or upwards," according to the last census (§ 1).

As under 9 Geo. 4, c. 82, the adoption of the act, and whether in whole or in part, and what part, depends upon the decision of the Ratepayers, to be ascertained in manner provided in this act. Its provisions may be adopted and brought into operation, for all or any of its purposes, in any town in which the act of 9 Geo. 4 has been already adopted and is in force; and in that case, the provisions of that act cease to have any further operation in such town after the First Election of Commissioners under the present act (§ 17): and the act of 9 Geo. 4 cannot, since the passing of the present act, be adopted or put in force in any town in which it is not already in operation, and is therefore henceforward superseded by the present act, which provides that after its "commencement" no meeting shall be called or convened for the purpose of carrying the act of 9 Geo. 4, c. 84, into execution (§ 19). No date is fixed for such "commencement," however; or for the act taking effect, other than the date of passing of the act. The present act may also be adopted and put in force in

Cities or Towns under Local Acts (except those named above as exempted by § 100) in certain cases and in manner provided (§ 18, 20).

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c. 103,
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MENT ACT,
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The portions of the act applicable to its different objects are classed under distinct heads, for the purpose of more ready reference and incorporation in other acts or proceedings : namely, —

“ With respect to making and maintaining the Public Sewers ; ”

“ With respect to the Drainage of Houses ; ”

“ With respect to Paving and Maintaining the Streets ; ”
and laying out, naming, and improving streets, &c. ;

“ With respect to ruinous or dangerous Buildings, ” &c. ;

“ With respect to Cleansing the Streets and the prevention of Nuisances ; and the prevention of Smoke ; ”

“ With respect to the Construction of Houses for prevention of Fire ; ”

“ With respect to supplying Buildings with fresh Air ; ”

“ With respect to Lodging-Houses ; ”

“ With respect to Slaughter-Houses ; ”

“ With respect to the Sale or Exposure for sale of unwholesome and adulterated Food ; ”

“ With respect to the Lighting of Towns ; ”

“ With respect to the supply of Water ; ”

“ With respect to the sale of Gunpowder ; ”

“ With respect to Private and District Assessments for Sewers, Drains, and Private Improvements ; ”

“ With respect to the Regulation of Towns, and to Obstructions and Nuisances in the Streets, and to the Suppression of Vagrants and Beggars ; ”

“ With respect to Places of Public Resort ; ”

“ With respect to Public Bathing ; ”

“ With respect to Hackney Carriages ; ”

“ With respect to the Bye Laws, ” which may be made by the local authorities under the act, subject to approval and confirmation by the Lord Lieutenant ;

and there are various other divisions, with respect to the machinery for carrying these objects into effect, and with respect to the general Assessments or rates to be made for the purposes of the act ; the Borrowing of Money on the security of the rates ; Offences and Penalties, &c.

For the purposes above described, various provisions from other statutes are incorporated with the act, — namely, from “ The Towns Improvement Clauses Act, 1847 ; ” “ The Commissioners Clauses Act, 1847 ; ” “ The Lands Clauses Consolidation Act, 1845. ” Under § 99 of the act, “ The Public Libraries Act, 1850, ” and an act of 1853 extending it to Ireland, (13 & 14 Vic. c. 65 and 16 &

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c. 103,
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IMPROVE-
MENT ACT,
1854.

17 Vic. c. 101,) were likewise incorporated with it; but both of these acts, as well as § 99 of the Towns Improvement (Ireland) Act itself, have since been repealed,—the Public Libraries Act of 1850 by an act of 1855, (18 & 19 Vic. c. 70,) applying to England and Wales only,—and the act of 1853, relating to Ireland, by a separate act of 1855, (18 & 19 Vic. c. 40,) which repeals the 16 & 17 Vic. c. 101 and also § 99 of the Towns Improvement Act, by which it had been incorporated with the latter; and the more recent act of 18 & 19 Vic. c. 40 makes further provision with the object of promoting and giving greater facilities for the establishing of free Public Libraries and Museums in Ireland, as well as Schools of Science and Art, through the agency of the Town Councils or Town Commissioners, or local bodies under local acts, as the case may be, if so determined upon in public meeting by the inhabitant householders.

The following is a list of Towns, in which, according to the *Dublin Gazette*, the provisions of the Towns Improvement (Ireland) Act, 1854, have been adopted, in whole or in part; and in which, under § 13, the enactments with respect to Assessments, Appeal, &c., as well as the parts of the act specially adopted, are in force.

Towns in which the act has been adopted.	Name of Town (and of Union in which situate).	Date of Approval by Lord Lieutenant of adoption of the act.
	Antrim,	17th Oct. 1855.
	Ardee,*	4th Jan. 1855.
	Athlone,*	27th Dec. 1854.
	Athy,	2nd June, 1856.
	Aughnacloy* (Clogher Union),	20th Dec. 1854.
	Ballina,	10th Dec. 1855.
	Ballymena,*	30th Nov. 1854.
	Belturbet* (Cavan Union),	28th Nov. 1855.
	Callan,*	29th March, 1855.
	Carlow,	2nd Jan. 1855.
	Carrick-on-Suir,*	1st Jan. 1855.
	Cashel,*	15th Jan. 1855.
	Castleblayney,*	25th Oct. 1855.
	Cavan,*	28th July, 1855.
	Clonmel,*	15th Oct. 1855.
	Cookstown,	24th April, 1855.
	Drogheda,	23rd Dec. 1854.
	Dromore* (Banbridge Union),	28th Dec. 1854.
	Dundalk,*	16th Feb. 1855.
	Dungarvan,	1st Jan. 1855.
	Enniscorthy,*	4th June, 1855.

* See paragraph (*) in next page (p. 459).

Name of Town (and of Union in which situate).	Date of Approval by Lord Lieutenant of adoption of the act.	17 & 18 Vic. c. 103, TOWNS IMPROVE- MENT ACT, 1854.
Kells,*	11th April, 1855.	Towns in which the act has been adopted.
Kilkenny,	2nd Jan. 1856.	
Kingstown (Rathdown Union),	2nd Mar. 1855.	
Letterkenny,	10th June, 1856.	
Lismore,	22nd Dec. 1854.	
Longford,*	1st Jan. 1855.	
Lurgan,*	26th Dec. 1854.	
Maryborough* (Mountmelick Union),	15th Dec. 1854.	
Mullingar,	28th April, 1856.	
Naas,	19th Feb. 1855.	
Navan,	29th May, 1855.	
New Ross,*	14th Sept. 1855.	
Newtownlimavady,*	5th May, 1855.	
Portadown* (Lurgan Union),	23rd Dec. 1854.	
Rathkeale,	20th Mar. 1856.	
Roscommon,*	29th Jan. 1855.	
Trim,*	24th April, 1855.	
Tuam,*	25th Oct. 1855.	
Waterford,	16th Mar. 1855.	

In the following Towns, the preliminary application has been made to the Lord Lieutenant to order a meeting to be held for considering whether the provisions of the act should be adopted or not; but it does not appear from any subsequent notification in the *Gazette* up to the time of printing this portion of the present volume, whether the act has yet been adopted in these towns:

Name of Town (and of Union in which situate).	Date of Direction of Lord Lieutenant for Meeting.	Towns in which the adoption of the act has been pro- posed.
Armagh,*	17th April, 1855.	Towns in which the adoption of the act has been pro- posed.
Ballyshannon,*	9th Jan. 1856 ^a .	
Bandon,*	11th May, 1855.	
Clonakilty,*	19th Feb. 1856.	
Clones,*	20th June, 1856.	
Coleraine,*	24th Nov. 1854.	
Ennis,	12th Oct. 1855.	
Loughrea,	22nd Sept. 1854.	
Newry,	5th Aug. 1855.	
Newtownstewart (Strabane Union),	23rd Nov. 1855 ^a .	
Queenstown (Cork Union),	31st Jan. 1855.	
Ramelton,	27th May, 1856.	
Roscrea,	21st Sept. 1855.	
Sligo,	10th Jan. 1856.	
Westport,*	20th June, 1856 ^a .	

(*) In the case of the towns marked with an asterisk, already included in the list of towns (p. 407-8) in which the

^a Date of application to Lord Lieutenant to order meeting, or of *Gazette* containing same.

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MENT ACT,
1854.

previous act of 9 Geo. 4, c. 82 had been adopted, the operation of that act has ceased or will cease, on the adoption of the present act or any part of it, as above pointed out.

The qualification for voting at Meetings to consider and determine as to the adoption of the act, and for voters in the Election of Town Commissioners, as well as the qualification of such Commissioners, are founded upon the poor rate. The following is an Abstract of some provisions of the act on these matters, and in reference to rating and the duties of Poor Law Officers.

On Appli-
cation of
Twenty-one
£8 House-
holders,
Lord
Lieutenant
may order
that a Meet-
ing be con-
vened to
consider
whether the
act shall be
adopted.
Publication
of Applica-
tion, &c.

“§ 4. Upon the Application of Twenty-one or more Householders of any City or Town in Ireland, each of such Householders occupying a Dwelling House or other Lands, Tenements, or Hereditaments within such City or Town, and rated in respect thereof to the Relief of the Poor at a net annual Value of Eight Pounds or upwards, applying that this Act, or that specific Portion thereof described as herein-before provided^a, may be carried into execution in such City or Town, which Application shall specify the Boundaries proposed for the Purposes of this Act, and a Copy of which Application shall be inserted in the *Dublin Gazette* and in One or more Newspaper or Newspapers published in such City or Town, and if none be therein published, then in One or more Newspaper or Newspapers published nearest to such City or Town, it shall be lawful for the Lord Lieutenant of Ireland, One Month after Receipt of such Application, and if he shall approve of such proposed Boundaries, to order and direct that the Mayor or other Chief Magistrate of such Town (being a Corporate Town), or the Chairman of the Municipal Commissioners under the Act of the Third and Fourth Years of the Reign of Her present Majesty, Chapter One hundred and eight^b, wherever the same shall be in force, or any two or more Justices of the Peace resident within Ten Miles of such Town, shall convene a Meeting for the Purpose of considering the carrying of this Act into execution; and One of them shall preside thereat: such Orders and Directions to be signified by the Chief Secretary of the Lord Lieutenant, or in his Absence by the Under Secretary; and a Copy of such Orders and Directions, with the Names of the Parties signing the Application for the same, and the Boundaries so approved of, shall be inserted, under the Direction of such Chief or Under Secretary, in such Gazette and Newspaper or Newspapers as aforesaid.”

Publication
of Order of

The Orders and Directions of the Lord Lieutenant are to describe and specify the proposed Boundaries for the

^a Under § 3, the specific portion with respect to any matter may be described by the “words introductory to the Enactment with respect to such matter,” or in other words by the headings of the several divisions of the act, as quoted or described in page 457.

^b 3 & 4 Vic. c. 103, (p. 412.)

purposes of this act, and to be published in the Gazette and Newspaper or Newspapers in like manner; and if the act be adopted, in whole or in part, the Boundaries so approved are to be the boundaries of the City or Town for the purposes of this act: but the Commissioners to be elected under the act, may afterwards, with the consent of the Lord Lieutenant, alter or extend the boundaries of the town (§ 5).

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c. 103.

Lord Lieutenant, and of Boundaries: Boundaries may be altered.

The Meeting is to be held at some convenient place within the town; and the Mayor, &c., within ten days after receipt of the Orders and Directions, is to appoint and notify the place and time for such Meeting, in manner directed, Notice of not less than ten days nor more than twenty-one being given (§ 6).

Notice of Meeting.

“§ 7. At any such Meeting convened as aforesaid, such Persons as next herein-after mentioned shall be admitted and entitled to vote, and no other Person whatsoever: that is to say,—every Person of full Age who is the Immediate Lessor of Lands, Tenements, and Hereditaments within such Town, or within such Boundaries of the same respectively as aforesaid, of the Value of Fifty Pounds or upwards according to the last Poor Law Valuation, and who shall reside within Five Miles of the Boundary of such Town,—also every Person of full Age who shall have occupied as Tenant or Owner, or shall have been the Immediate Lessor (rated for such Premises to the Relief of the Poor) of any Lands, Tenements, or Hereditaments within such City or Town, or within such Boundaries of the same respectively as aforesaid, and shall have been rated in respect of such Premises for the Period of Twelve Months preceding, under the Acts for the Relief of the Destitute Poor in Ireland, as Occupier of such Lands, Tenements, or Hereditaments, at a net annual Value of Eight Pounds or upwards;—such Right of voting to be evidenced by the Rate Book of the Union, which the Clerk of the Union is hereby required to produce at such Meeting; and if any Controversy shall arise at any such Meeting as to the Qualification or Right of voting of any Person claiming to vote, or to be qualified, such Controversy shall be determined by the Person or Persons, as the Case may be, presiding at such Meeting, by reference to the Rate Book which the Clerk of the Union is hereby required to produce at such Meeting.”

Voters at Meeting; Immediate Lessors of Property valued at £50, resident within 5 miles; and Persons rated for One Year in Poor Rate for Premises valued at £8, within the Boundaries.

Poor Rate to be produced by Clerk of Union: and Disputes as to Right of voting to be decided by reference to Rate.

The meeting, after having the act laid before them, with a copy of the application and order for the Meeting, are “to consider and determine whether this act shall, in whole or in part, be adopted and carried into execution within such town,” or may appoint a Committee of their own number, not exceeding nine, to inquire and report to some future meeting, to be held on such day as shall be appointed (§ 8). If the provisions of the act be adopted in whole or in part, all the Expenses incurred in relation to calling the first meeting, making out returns and lists of qualified occupiers, if such be necessary, &c.,

Meeting may adopt the Act, or not; and may appoint Committee to inquire and report.

Expenses of calling First Meeting, &c. how to be borne.

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MENT ACT,
1854.

Mode of
ascertaining
and notifying
determina-
tion of rate
payers.

are to be defrayed out of the money assessed and levied under the act; but if it be not adopted, then the whole of said expenses are to be borne by the persons signing the application for the meeting (§ 9).

The Chairman is to ascertain and declare the determination of the Meeting, in manner provided; but a poll may be demanded and taken; the votes of a majority of the persons qualified and voting is sufficient (§ 10-12). If the act be not adopted, the proposal to adopt it may be re-considered after two years, the same preliminary proceedings being taken; if it be adopted in part only, other parts may be adopted after two months from the meeting (§ 14). A certified copy of the determination is to be transmitted to the Lord Lieutenant: and if the Lord Lieutenant approve of it, notice of Approbation is to be given, and to be published in the *Dublin Gazette*, and the act be put in force accordingly: such Notice to state the number of Wards into which the town is to be divided, and the number of Commissioners to be elected; but in Boroughs or Corporate Towns, the Town Council or Municipal Commissioners elected under 3 & 4 Vic. c. 108^a, where it is in force, are to be the Commissioners for the purposes of this act (§ 15).

The following are further provisions extracted from the act:—

Town Com-
missioners.

“*And with respect to the Election and Rotation of Commissioners under this Act, except where the Town Council are the Commissioners under this Act, be it enacted as follows:—*

First Elec-
tion of Com-
missioners:

qualification
of Occupiers.

“§ 21. As soon as conveniently may be after the Receipt of the Lord Lieutenant's Approval of the Adoption of this Act, in the whole or in part, in and for any Town, the Chief Magistrate, Mayor, or Justices as aforesaid shall convene a Meeting of the rated Occupiers, qualified as next herein-after mentioned^b, of such City or Town, or (if the same shall be divided into Wards) of such respective Wards, for the First Election of Commissioners for the Purpose of executing this Act, at some convenient Place in such City or Town, or in their respective Wards, as the Case may be, to be specified in the Notice to be given of such Meeting, and, in such Places as shall be divided into Wards as aforesaid, the Ward Meetings shall, at the said First Election of Commissioners under this Act, be presided over by a Justice of the Peace resident within such Ward (if any), and in default of such, by One of the highest Ratepayers within such Ward, to be nominated by the Mayor, Chief Magistrate, Chairman of the Municipal Commissioners, or Justices aforesaid.

Qualification
of Electors
at Elections
of Town Com-
missioners:

“22. At such First and every other Meeting for the Election of Commissioners in said Town as herein-after prescribed, such Persons as next herein-after mentioned

^a p. 412.

^b § 22, qualification founded on Poor Rate.

shall be admitted and entitled to vote, and no other Person whatsoever; that is to say,—every Person of full Age who is the Immediate Lessor of Lands, Tenements, and Hereditaments within such Town, or within such Boundaries of the same respectively as aforesaid, of the Value of Fifty Pounds or upwards according to the last Poor Law Valuation, and who shall reside within Five Miles of the Boundary of such Town,—also every Person of full Age who shall have occupied as Tenant or Owner or joint Occupier, or shall have been the Immediate Lessor (rated for such Premises to the Relief of the Poor to the net annual Value of Four Pounds or upwards, and in the case of joint Occupiers rated in respect of Premises of the net annual Value of Four Pounds or upwards for each of such joint Occupiers) of any Lands, Tenements, or Hereditaments within such Town, or within such Boundaries of the same respectively as aforesaid, and shall have been rated in respect of such Premises for the Period of Twelve Months preceding the First Day of January in the Year in which any such Election shall be held, under the Acts for the Relief of the destitute Poor in Ireland, and shall have paid all such Poor Rates as aforesaid as shall have become payable by him in respect of such Premises, and all Grand Jury Rates, and all such Rates as shall have become payable by him under any Local Act in force in the City or Town or under this Act, except such as shall have become payable within Six Months next preceding such Election; and of the Payment or Nonpayment of such Rate, a Receipt, Certificate, or certified List, under the Hand of the Collector of Poor Rate, the Barony Collector, and the Collector under any Local Act in force in the City or Town, shall for such Purpose be deemed sufficient Evidence, and which Certificate or certified List such Collectors and Barony Constables are hereby required to furnish to the Person or Persons presiding at such Election: and if any Controversy shall arise at such Meeting as to the Qualification or Right to vote of any Person claiming to vote or to be qualified, such Controversy shall be determined by the Person or Persons presiding at such Meeting upon reference to the Rate Book, which the Clerk of the Union is hereby required to produce at such Meeting.”

“ *And with respect to the Qualification of Commissioners, be it enacted as follows :—*

“ § 25. Every Person who shall have been for Twelve Months preceding the First Day of January in the Year in which such Election is held the Immediate Lessor of Lands, Tenements, and Hereditaments within such Town, or within such Boundaries of the same respectively as aforesaid, of the Value of Fifty Pounds or upwards, according to the last Poor Law Valuation, and who shall reside within Five Miles of the Boundary of such Town,—and also any Householder or Occupier of full Age rated to the Relief of the Poor in respect of a Dwelling House in

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MENT ACT,
1854.

Immediate Lessors of property of £50 valuation in Poor Rate.

Occupiers or Persons rated for a year for premises of £4 valuation, and who has paid the rates described.

Disputes as to right to vote to be determined by Rate Book; Clerk of Union to produce Rate.

Qualification of Town Commissioners :

Immediate Lessor of £50 valuation ;

Householder or Occupier rated for a Dwelling

17 & 18 Vic. c. 103. the Town at the net annual Value of Twelve Pounds or upwards,—not being an Ecclesiastic of any religious Denomination,—shall be eligible to be elected a Commissioner for the Purposes of this Act, and may be proposed at such Meeting by any Householder or Occupier qualified to vote under the Provision herein-before contained*, and may be seconded by any other Householder or Occupier qualified to vote as aforesaid.”

Assessments. “And with respect to General Assessments under this Act, be it enacted as follows:—

Town Commissioners to make Assessment for purposes of this act, on Occupiers rated in Poor Rate. “§ 60. Once in each Year, the Commissioners shall assess all Occupiers of Premises within the Town and the Boundaries thereof, as before determined on and declared and settled, rated in respect of such Premises under the Acts for the Relief of the Destitute Poor, in the Sums necessary to be levied for the Purposes of this Act, other than by way of Private or District Assessments^b; and shall fix a Day, not being less than One Month from the Date of laying on such Assessment, on which the same shall be payable: and the Rate of Assessment, and Day so fixed by the Commissioners, shall be published by Handbills posted in the Town, and by Advertisement in any Newspaper or Newspapers published therein (if any), or otherwise in some Newspaper or Newspapers published nearest to such City or Town: Provided, that such Assessment other than Private and District Assessments^b shall not in any Year exceed the Rate of One Shilling and Sixpence in the Pound where the Enactments of this Act with respect to Water have been adopted, or the Rate of One Shilling in the Pound where such Enactments with respect to Water have not been adopted: Provided, that all unoccupied Houses, Tenements, or Premises, being at the Time of such Assessment unproductive to the Lessors or Landlords thereof, shall be exempt from Taxation under this Act during the Period that such Premises are so unoccupied and unproductive, and no longer.

Limitation of amount of Assessment. Unoccupied premises exempt. Clerk of Union to produce Poor Rate Book on requisition of Town Commissioners; who are to cause Assessment Book to be made out; “61. The Clerk of the Union shall, on the Requisition of the Commissioners, produce the Rate Book of the Union; and the said Commissioners shall annually cause to be made up a Book of Assessment, to be signed by the Chairman and Two others of the Commissioners, showing the net annual Value of the whole Premises in the Town under the Poor Law Valuation liable to be assessed under this Act, and according to which the Assessments under this Act are intended to be levied; and such Book of

* § 22, (p. 462.)

^b “Private or District Assessments.” Under § 66, and the provisions of the Towns Improvement Clauses Act, 1847 (10 & 11 Vic. c. 34), incorporated with the present act, the Town Commissioners are authorized to assess Rates for Sewers, Drains, and Private Improvements, chargeable upon the parties benefiting by the improvement; these rates, called Private or District Assessments, may be levied on such parties in addition to the General Assessment authorized by the present section for the other purposes of the act.

Assessment shall be open to Inspection by all Ratepayers, in the Hands of the Clerk^a; and the Commissioners shall have Power to rectify any Mistake or Error, upon the ground of any Variance from the last Assessment for Poor Rates, or on the ground of any Change of Occupation of Premises since such last Assessment for Poor Rates; and in each Year, a Copy of the said Book of Assessment, as finally adjusted by the Commissioners, signed by the Chairman and Two Commissioners, and countersigned by the Clerk^a, shall be delivered over to the Collector, as the Rule for levying and collecting the annual Assessment under this Act; and shall be deemed to be Evidence of each and every separate Assessment for the Purposes of this Act.

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Assessment open to inspection; and may be revised by Town Commissioners. Copy of Assessment to Collector, for levy; and to be evidence.

“62. For the Purpose of any Rate to be made or levied under the Provisions of this Act or of any Act incorporated herewith, all Lands used as Arable, Meadow, or Pasture Ground only, or as Woodlands or Market Gardens, or Nursery Grounds, and all Lands covered with Water and used as a Canal, and any Towing-path to the same, and all Lands used as a Railway constructed under the Powers of any Act of Parliament for public Conveyance, shall be assessed and liable in the Proportion of One Fourth Part only of the net annual Value of such Lands respectively.”

Rating of certain Lands, Canals, Railways.

Section 63 provides for the recovery of the rates so assessed, in case of refusal or neglect of payment by the parties assessed, in modes therein set forth.

“64. Whenever the net annual Value of the rateable Hereditaments in any such Town, actually occupied by any Person or Persons, shall not exceed Four Pounds, the Assessment under this Act in respect of such Property shall be made on the Immediate Lessor or Lessors of such Person or Persons; and if at the Time of making any such Assessment, the Name of the Immediate Lessor be not accurately known to the Persons making the Assessment, it shall be sufficient to describe him therein as “the Immediate Lessor,” with or without any Name or further Addition; and such Assessment shall be held to be duly made on him by such Description, and shall be recoverable from him accordingly, notwithstanding any Error or Defect in his Name or Description, or the entire Omission of his Name therein: Provided, that wherever any Occupier shall claim to be and shall be accordingly rated^b to the Relief of the Poor, although the net annual Value of the rateable Hereditaments occupied in any Town by such Person shall not exceed Four Pounds, the Assessment under this Act shall be made upon the Person so claiming to be rated to the Relief of the Poor.”

Immediate Lessors of Property not exceeding 4*l.* Value, to be assessed for the same;

But where Occupier claims to be rated in Poor Rate, Assessment to be made on him.

Section 65 provides for the recovery of the rate where assessed upon Lessors, if not duly paid by them.

^a This must be taken to mean the Clerk of the Town Commissioners, whom they are empowered by § 30 to appoint, not the Clerk of the Union referred to in previous part of the section.

^b See § 72 of 1 & 2 Vic. c. 56 (p. 55); § 33 of 3 & 4 Vic. c. 108 (p. 417); § 110 of 13 & 14 Vic. c. 69 (p. 339).

COUNTIES OF CITIES AND OF TOWNS:— VALUATION FOR PRESENTMENTS.

6 & 7 Vic.
c. 32,
CITIES AND
TOWNS
COUNTY
PRESENT-
MENTS ACT,
1843.

6 & 7 VICT. CAP. 32.

An Act to amend the Laws in force relating to Grand Jury Presentments in Counties of Cities and Towns in Ireland. [Passed, 12th July 1843.]

SECTION 1 recites in the preamble, the acts 3 & 4 Vic. c. 108, § 20; 3 & 4 Vic. c. 109; 5 & 6 Vic. c. 77; and the Grand Jury Act, 6 & 7 Wm. 4, c. 116: and proceeds as follows:

EXTRACTS.

Grand Jury Cess in Counties of Cities and Towns to be levied on Tenements therein, without regard to parochial or other Distinctions, according to Poor Rate Valuation.

§ 1. “And by reason of the Provisions contained in the said last-mentioned Act, and in the said several Acts herein-before recited, and also by reason of the Conflict therewith of the Provisions of certain Local Acts in force within some of the Counties of Cities and Counties of Towns to which the Provisions herein-before mentioned of the said several Acts are applicable, it has been found for the most part impracticable to proceed in the Presentment, Assessment, Applotment, and levy of Grand Jury Cess in Counties of Cities and Counties of Towns in Ireland: For Remedy whereof, be it enacted by, &c., That from and after the passing of this Act, all Sums to be presented or which shall be re-presented by the Grand Jury at any Assizes in or for any County of a City or County of a Town in Ireland herein-before mentioned*, except the County of the City of *Dublin*, shall be apportioned, applotted, raised, and levied on and off all Lands, Houses, and Tenements situate within such County of a City or County of a Town, as defined under the said recited Acts of Her present Majesty's Reign, without regard to parochial or other Distinctions or Divisions whatsoever, according to the net annual Value of such Lands, Houses, and Tenements respectively as now or from Time to Time hereafter last valued and rated under the Act or Acts for the Relief of the destitute Poor in Ireland; and that all Sums heretofore presented, and for levying which or any Instalment thereof any Warrant may be hereafter issuable, or for levying which or any Instalment thereof any Warrant shall have been issued, provided no Levy or Collection shall have actually taken place thereunder, shall be in

* Namely, Cork, Dublin, Kilkenny, Limerick, Waterford, and Drogheda. The County of the City of Dublin is hereby excepted: and see proviso as to Dublin, at the end of the section.

like Manner apportioned, applotted, raised, and levied on and off all such Lands, Houses, and Tenements, according to the net annual Value thereof as so rated and valued as aforesaid; and that any previous Applotment according to the Laws now in force of such Sums so wholly uncollected, and any Warrant for the Collection and Levy thereof, shall be quashed: Provided always, that no Church, Chapel, or other Building exclusively dedicated to religious Worship, or exclusively used for the Education of the Poor, nor any Burial Ground or Cemetery, nor any Infirmary, Hospital, Charity School, or other Building used exclusively for Charitable Purposes, nor any Building, Land, or Hereditament dedicated to or used for Public Purposes, shall be rateable for such Grand Jury Cess, nor any Dwelling House which shall be rated for the Relief of the Destitute Poor at or under the annual Value of Five Pounds: Provided also, that nothing herein contained shall extend or be construed to alter or affect the Provisions made by an Act passed in the First and Second Years of Her present Majesty's Reign, intituled *An Act to amend the Laws relating to the Levy of Grand Jury Cess in the County of the City of Dublin**, but that all Sums to be raised by Grand Jury Presentment in the County of the City of *Dublin* and within the Police District of *Dublin* Metropolis shall continue to be apportioned, applotted, and levied as by the said last-recited Act directed, any thing herein contained to the contrary notwithstanding."

"3. And be it enacted, That in order to enable the respective Treasurers of the said several Counties of Cities and Counties of Towns, as herein-after directed, to applot such Grand Jury Cess, it shall and may be lawful to and for the Treasurer of each such County of a City or Town for the Time being, and from Time to Time, and at all reasonable Times, to have Access to and inspect any Rate or Rates made for the Relief of the Poor of every Union, any Part of which shall be situate within such County of a City or of a Town, and to cause Copies to be made of such Rate or Rates, or so much thereof as shall relate to such County of a City or of a Town, or any Part thereof; and such Treasurer shall be allowed the Expense of making such Copies in his Accounts with the Grand Jury of such County of a City or of a Town.

"4. And be it enacted, That the Treasurer of each County of a City or County of a Town as aforesaid shall, within One Month* after he shall have received from the Clerk of the Crown the Copies of the Presentments made at the next and each succeeding Assizes, applot upon all Lands, Houses, and Tenements within such County of a City or County of a Town chargeable under this Act with Grand Jury Cess, the Sums leviable under any Presentments made at such Assizes, or any Sums heretofore pre-

6 & 7 Vic.
c. 32,
CITIES AND
TOWNS
COUNTY
PRESENT-
MENTS ACT,
1843.

Provisos:
Properties
exempted
from Assess-
ment;

nothing
herein to
affect 1 & 2
Vic. c. 51,
(*Dublin*.)

County Treasurers to have access to Rates made for the Relief of the Poor,

and may have Copies.

Treasurer to applot County Cess according to last Poor Rate.

6 & 7 VIC.
c. 32,
CITIES AND
TOWNS
COUNTY
PRESENT-
MENTS ACT,
1843.

Treasurer to
issue War-
rant to Cess
Collector
to collect ac-
cording to
Names in
Poor Rate.
6 & 7 Wm. 4,
c. 116.

Collectors to
levy such
Cess, accord-
ing to such
Warrant,
under Pro-
visions of
Grand Jury
Act.

Appeal
against Ap-
plotment:

but not on
ground of

sented, and which shall not be re-presented, provided no Levy or Collection thereof shall have taken place under any Warrant previously issued, and all Sums heretofore presented, which, or any Instalment whereof, shall be leviable under any Warrant hereafter issuable, and all Sums which shall be re-presented; and shall applot the same according to the net annual Value of each such House, Tenement, and Portion of Land, as contained in the Rate which shall have been then last made in that behalf for the Relief of the destitute Poor as aforesaid.

“5. And be it enacted, That with all convenient Speed after making such Applotment, the Treasurer of each such County of a City or Town shall issue his Warrant or Warrants, directed to the Person or several Persons who, under the Provisions of the said Act of the Sixth and Seventh Years of the Reign of his late Majesty, shall be Collector or Collectors for levying and collecting the Sums to be raised for Grand Jury Cess off such County of a City or Town; and in every such Warrant shall be specified the Proportion of such Grand Jury Cess which shall be so payable in respect of each House, Tenement, or Portion of Land chargeable therewith, and for which the Person to whom such Warrant shall be directed shall be a Collector, together with the Name of the Occupier or Occupiers thereof, as such Name or Names shall appear upon the aforesaid Rate for the Relief of the destitute Poor: and every Person duly authorized to collect and levy such Grand Jury Cess, as soon as he shall have received any such Warrant, shall collect and levy the same according to such Warrant, and by all the Ways and Means provided by the said Act of the Sixth and Seventh Years of his late Majesty's Reign for the Collection or Levy of Grand Jury Cess*; and all the Provisions of the said last-mentioned Act with reference to the Collection, Levy, or Recovery of Grand Jury Cess, shall apply to all Sums so specified in such Warrant or Warrants, and all Arrears thereof, as if the same were hereby specially re-enacted, or as if such Sums were applotted in pursuance of the said last-mentioned Act.

“6. And be it enacted, That if any Person shall find himself aggrieved by any Applotment made under this Act, or shall object to any Person being put in or left out of such Applotment, or to the Sum charged on any Person therein, it shall be lawful for such Person so aggrieved or objecting, to appeal to the General Sessions of the Peace or Adjournment thereof, to be held for the same County of a City or of a Town, or if there be none holden therein, then to the General Sessions of the Peace to be held for any County at large next adjoining thereto, next after the Date of such Notice of Applotment so to be published by such Treasurer: Provided always, that no such Appeal shall be made on the Ground of any Pre-

mises having been over-valued or under-valued in the Rate and Valuation made for the Purposes of the said Act for the Relief of the Poor in Ireland: Provided also, that if such Sessions shall be held before the Expiration of One Calendar Month next after the date of such Notice, then such Appeal may be made to the next following Sessions."

6 & 7 Vic.
c. 32.

amount of
Valuation for
Poor Rate.

MINISTERS' MONEY

IN CERTAIN CITIES AND TOWNS.

The following act is inserted entire, as imposing certain duties on the Boards of Guardians and their Officers in some few Unions containing towns or parishes heretofore subject to Ministers' Money under the act of Chas. II. In the construction of the Irish Poor Relief Act, 1 & 2 Vic. c. 56, § 124, it was provided that Ministers' Money, charged under the act of 17 & 18 Chas. 2, c. 7 (I.), should be included in the word "Tithe," and it became thereby subject to the same provisions in regard to deduction of poor rate and otherwise, as Tithe or Tithe Rent-Charge. The act of Chas. II. is now repealed, and no provisions being contained in the new act similar to those in the Irish Poor Relief Act, the provisions of the latter, which applied to Ministers' Money levied under the act of Chas. II., do not apply to the Rates substituted in lieu of Ministers' Money by the new act. See the provisions referred to, and the notes thereon, in pages 58, 61, 95.

17 VICT. CAP. 11.

An Act to amend the Laws relating to Ministers Money, and the Church Temporalities (*Ireland*) Act.

[12th May, 1854.]

17 Vic. c. 11,
MINISTERS'
MONEY
ACT,
1854.

WHEREAS by an Act of the Session of the Parliament of *Ireland* holden in the Seventeenth and Eighteenth Years of King *Charles* the Second, Chapter Seven, Provision was made for charging Sums of Money to be paid in every Year to the several Incumbents having Cure of Souls in the several Parishes within the City and Suburbs of *Dublin* and Liberties thereunto adjoining, and other Cities and Towns Corporate in *Ireland*, out of the Houses belonging to the several Parishes, according to the annual

17 & 18 Car.
2, c. 7, (I.)

17 VIC. c. 11,
MINISTERS'
MONEY
ACT,
1854.
—

7 & 8 Geo. 4,
c. 34.

Value of such Houses, to be previously ascertained by Commissioners as therein mentioned, and the Sums so allotted and charged were to be received by the Churchwardens, and by them paid to the Incumbents, and Power was thereby given to the Churchwardens, on the Refusal or Delay of Payment by the Inhabitants, to recover such Sums by Distress: And whereas by an Act passed in the Seventh and Eighth Years of King *George* the Fourth, Chapter Thirty-four, the Incumbents within the City and Suburbs of *Dublin* and Liberties thereunto adjoining, and within other Cities and Towns Corporate in *Ireland*, were authorized to appoint Collectors of all Sums allotted or charged according to the said Act of the Seventeenth and Eighteenth Years of King *Charles* the Second, with such Powers as by the last-mentioned Act were given to the Churchwardens: And whereas, from the diminished Value of Houses in certain Parts of the said City and Suburbs of *Dublin* and the Liberties thereunto adjoining, and of the several other Cities and Towns Corporate in *Ireland*, (namely, the Cities and Boroughs of *Cork*, *Limerick*, *Waterford*, *Drogheda*, *Kilkenny*, *Clonmel*, and *Kinsale*,) the Burden of the Sums charged under the said Act of King *Charles* the Second, commonly called and herein-after referred to as Ministers Money, has become unequal; and from that Cause and from other Causes the Collection of the said Ministers Money has been found difficult, and in many Cases oppressive, to the poor Inhabitants of the Houses charged therewith; and it is expedient to amend the Law in relation thereto: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:—

17 & 18 Car.
2, c. 7, (1.) re-
pealed, from
1st October,
1854: but
Ministers
Money then
due, to be
paid up.

Lord Lieu-
tenant to
cause
Ministers
Money for
Year 1853
to be ascer-
tained, (the
Sums
payable

1. From and after the First Day of *October* One thousand eight hundred and fifty-four, the said Act of King *Charles* the Second shall be and is hereby repealed; and no Allotment or Charge of Sums shall thereafter be made under the Provisions thereof: Provided always, that all Arrears of such Ministers Money then due and payable shall and may be paid and recovered as if this Act had not been passed.

2. The Lord Lieutenant of *Ireland* shall cause to be ascertained, in a Return to be made by Persons to be by him for that Purpose appointed by Commission under the Great Seal of *Ireland*, the Amount payable during the Year ended the Thirty-first Day of *December* One thousand eight hundred and fifty-three for Ministers Money out of each House in each Parish within the said City and Suburbs of *Dublin* and the Liberties thereunto adjoining, and in the said other Cities and Boroughs liable to

^a See § 124 of Irish Poor Relief Act, 1 & 2 Vic. c. 56 (p. 94–5), and notes thereon, and in p. 58, 61.

the Payment of Ministers Money, and in such Portions of 17 Vic. c. 11,
Parishes liable to the Payment of Ministers Money as lie **MINISTERS'**
outside the Boundaries of the said Cities and Boroughs; **MONEY**
distinguishing therein all Sums payable in respect of **ACT,**
Houses of and under the annual Value of Ten Pounds **1854.**
(such Value to be estimated in the same Manner in which
the same may be or should be estimated for the Purposes
of a Rate for the Relief of the Poor); which said Com-
mission shall be returned, under the Hands and Seals of
the Commissioners or any Two of them, to the Clerk of
the Council of *Ireland* for the Time being: and after the
Amount ascertained thereby with respect to each such
Parish shall have been approved by the Lord Lieutenant
and Privy Council of *Ireland*, the Clerk of the Council
shall certify under his Hand to the Collector-General of
Rates in the City of *Dublin*, and to the respective Clerks
to the several and respective Boards of Guardians in
whose Unions such Parts of the Suburbs of the City of
Dublin or of the Liberties thereunto formerly adjoining
as are not within the Limits of the Municipal District of
Dublin are comprised, and to the Town Clerk of each of
the Cities or Boroughs herein-after mentioned, (that is to
say, *Cork*, *Limerick*, *Waterford*, *Drogheda*, *Kilkenny*, and
Clonmel), and to the Clerk to the Town Commissioners of
Kinsale, and to the respective Clerks to the several and
respective Boards of Guardians in whose Unions any
Portions of such Parishes liable to the Payment of Minis-
ters Money may be comprised, the Amount ascertained
and approved with respect to all Houses in each Parish
therein respectively of more than the Value of Ten
Pounds.

3. The said Collector-General of Rates within the said Collector-General,
Municipal District of *Dublin*, and the said Boards of Boards of
Guardians, and the Council of each of the said Cities or Guardians, or
Boroughs of *Cork*, *Limerick*, *Waterford*, *Drogheda*, *Kil- Town Councils,*
kenny, and *Clonmel*, and the said Town Commissioners of to levy
Kinsale, in their respective Districts, shall cause to be the Amounts
raised in each Parish now liable to the Payment of certified in
Ministers Money in every Year, in Two equal Sums, the Parishes con-
Amount so ascertained, approved, and certified with cerned;
respect to such Parish; by means of a Rate to be assessed and
levied on all Houses, save as hereafter mentioned, situate
in each such Parish respectively, now liable to the Payment
of Ministers Money, and of the rated Value of more than
Ten Pounds; Provided that no House shall be liable to a
greater annual Payment for such Rate than it is now
liable to pay for Ministers Money, and that no uninhab-
ited House shall be liable to be rated for the Period
during which it shall be uninhabited, nor shall any Rate
be payable in respect of such House during such Period:
and, subject as aforesaid, the Rates to be so assessed
shall, by the said Collector-General, be assessed, levied,
and collected in the same Manner and under and subject
to the same Provisions as the Rates now assessed, levied,
by a Rate upon all houses now chargeable, except those rated at or under £10.
but no house to be liable to a greater annual payment than at present, and uninhabited houses exempt.

17 VIC. c. 11,
MINISTERS'
MONEY
ACT,
1854.

—
New
Rate to be
assessed, and
recovered in
same manner
as other Rates
by same
Officers;

Time of
Collection.

No assess-
ment for
Ministers
Rate on
House:
valued at or
under £10.

Expenses of
Collection.

Amounts
Collected,
how to be
brought to
account:
to be paid
into Bank of
Ireland, to
separate ac-
count in
Name of
Paymaster
of Civil
Services:
and by him
paid to
Ecclesiasti-
cal Commis-
sioners.

and collected by him; and shall, by the respective Councils of the said Cities and Boroughs, be assessed, levied, and collected in the same Manner and under and subject to the same Provisions as the Borough Rate; and shall in the Town or Borough of *Kinsale* be assessed, levied, and collected in the same Manner and under and subject to the Provisions concerning the Rates authorized to be raised and levied under the Act of the Ninth Year of King George the Fourth, Chapter Eighty-two^a, or any Act amending^a the same; and the Rates to be assessed under this Act by Boards of Guardians, shall be assessed, levied, and collected in the same Manner and under and subject to the same Provisions as the Rates for the Relief of the Poor^b: such Sums to be so raised at such Times as will secure the Payment of the Sums required to be raised in each Half Year to the Paymaster of Civil Services under the Provision herein-after contained^c, before the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September* in every Year; and the First of such half-yearly Sums to be raised and paid over as afore-said before the Twenty-ninth Day of *September* One thousand eight hundred and fifty-five: Provided always, that no Assessment under this Act shall be made upon the Occupier or Owner of any House rated to the Relief of the Poor upon an annual Value of Ten Pounds or less than Ten Pounds; provided also, that it shall be lawful for the Lord Lieutenant of *Ireland* to order and direct that for the Collection of the Rates to be made under this Act, and any Expenses attending the same, such Percentage shall be allowed upon the Sums actually collected as such Lord Lieutenant may think fit.

4. The Monies levied under this Act by and under the Authority of the said Councils and Town Commissioners shall be paid to the respective Treasurers of the Cities and Towns in which the same are levied, and the Monies levied under this Act by and under the Authority of the said Boards of Guardians shall be paid to the Treasurers of their respective Unions to a separate Account; and all Monies levied under this Act by such Collector General of Rates, and the Monies to be paid under this Act to the said Treasurers, shall be carried to separate Accounts, and, after deducting such Sums as may be allowed as Per-centage and Expenses as afore-said^d, shall be paid by them respectively into the Bank of *Ireland*, to be there placed to a separate Account in the Name of the Paymaster of Civil Services in *Ireland*, to be entitled "Account of Ministers Money;" and all Sums to be paid to such Paymaster shall be paid by him to the

^a 9 Geo. 4, c. 82, and subsequent municipal acts; p. 407 *et seq.*

^b These words provide for the assessment, levy, and collection of the new rate in lieu of Ministers' Money; but do not authorize the deduction of any part of such rate from rent, or any deduction for Poor Rate from the new rate:—see notes in p. 58, 95.

^c § 4.

^d § 3.

“Ecclesiastical Commissioners for *Ireland*,” and such Commissioners shall keep a separate Account of the Monies so paid to them as aforesaid.

5. In case in any Half Year the Sums due on the Houses liable as aforesaid be not raised and paid over to the Paymaster of Civil Services as aforesaid, the same, or so much thereof as shall not be paid, or shall not arise out of Houses exempt as herein-before provided by reason of being uninhabited, shall, in case of such Default with respect to any Parish in the Municipal District of *Dublin*, or in any of the said other Cities or Boroughs herein mentioned, become and be a Debt due to the Crown, and recoverable as such from the said City of *Dublin*, or of such other City or Borough in which the Default may happen; and in the Case of such Default with respect to any Parish in which Rates are to be raised under this Act by Boards of Guardians, the said Sum, or so much thereof as aforesaid, shall become and be a Debt due to the Crown, and recoverable as such from such Board of Guardians; and the Lord Lieutenant of *Ireland* shall order all Sums which shall become due to the Crown as aforesaid to be recovered and paid to the Ecclesiastical Commissioners for *Ireland*; and it shall be lawful for the said Councils, Town Commissioners, and Boards of Guardians to recover the Sums so recovered from them as aforesaid from the defaulting Occupiers or Owners of the Houses in respect of which such Default has accrued, according to the respective separate Liability of such Occupiers or Owners.

6. It shall be lawful for the Owner or Occupier of any House liable to be rated under this Act to redeem the Rates to which such House may so be liable, on Payment to the said Paymaster of Civil Services of all Arrears (if any) of such Rates, and of such Sum, not exceeding Fourteen Times the annual Amount at which such House may be liable to be rated under this Act, as may be fixed and settled by the Ecclesiastical Commissioners with the Assent of the Lord Lieutenant in Council; and from and after such Redemption such House shall cease to be rated under this Act; and in case the said Rate be purchased and redeemed by the Owner he may add the Amount thereof to the Rent of the House, and shall be entitled to recover the same in the same Manner and with the like Powers as the Rent is recoverable.

7. All Redemption Monies which shall be so paid to the said Paymaster of Civil Services shall be paid by him to the said Ecclesiastical Commissioners for *Ireland* in like Manner as herein provided with respect to Monies arising from Rates under this Act.

8. The Ecclesiastical Commissioners for *Ireland* shall pay to the several Incumbents for the Time being of the Parishes now liable to the Payments of Ministers Money under the said Act of the Seventeenth and Eighteenth Years of King *Charles* the Second, by quarterly Pay-

17 Vic. c. 11,
MINISTERS'
MONEY
ACT,
1854.

Provision
for recovery
of Ministers'
Rate,
in case of
Default to
pay the
same:

to be a Debt
to the Crown,
recoverable
from the
City, or Guar-
dians, &c.;

who may re-
cover it from
the default-
ing Occu-
piers or
Owners of
Houses.

Owners or
Occupiers
may redeem
the Ministers'
Rates: and
House
thereafter
not to be
Rated:
redemption
money
may be added
by Owner to
rent of House
and recovered
as Rent.

Redemption
Money to be
paid to Pay-
master and
Commission-
ers.

Ecclesiasti-
cal Commis-
sioners to
pay to In-
cumbents
£75 per Cent.

17 Vic. c. 11,
MINISTERS'
MONEY
ACT,
1854.

—
on the annual
amount
previously
payable
for Ministers
Money:

Proviso.

ments on the First Day of *January*, the First Day of *April*, the First Day of *July*, and the First Day of *October* in every Year, a yearly Sum, to be computed after the Rate of Seventy-five Pounds for every One hundred Pounds of the Sum payable in such Parishes respectively for Ministers Money during the Year One thousand eight hundred and fifty-three, the first of such Payments to be made on the First Day of *January* One thousand eight hundred and fifty-five, any thing in an Act passed in the Session of the Third and Fourth Years of the Reign of King *William* the Fourth, Chapter Thirty-seven^a, or any Act amending the same, to the contrary notwithstanding: Provided always, that in every Case where the Revenues of any such Benefice may be charged with the Payment of Curates and such other Charges as are allowed to be deducted in fixing the net Income of Benefices taxable to the Ecclesiastical Commissioners, the Portion of the gross Revenue employed in defraying such Charges shall not be reduced to the aforesaid Seventy-five *per Cent.*, but shall be paid in full, *Cent. per Cent.*; that is to say, that the said Ecclesiastical Commissioners shall pay to the Incumbents of such Benefices respectively, in addition to the aforesaid Seventy-five *per Cent.*, and in like quarterly Proportions, but exempt from Taxation, a further Sum after the Rate of Twenty-five Pounds for every One hundred Pounds actually expended by such Incumbents in defraying such Charges.

Ecclesiastical Commissioners to invest Monies in Government Securities, &c.

9. The said Ecclesiastical Commissioners shall from Time to Time, at their Discretion, invest all or any Part of such Monies as shall at any Time by or under the Provisions of this Act be paid to them as aforesaid, in the Purchase of Government or Parliamentary Funds, Stocks, or Securities, and no other, either in *England* or *Ireland*, and from Time to Time change, transfer, or sell out such Stocks, Funds, or Securities, or any Part thereof, and reinvest the Produce thereof, as they may find necessary or convenient.

Funds of Ecclesiastical Commissioners may, with approval of Lord Lieutenant, be applied to Augmentation of Benefices, or increasing the number of Clergymen, in the said Cities and Towns.

10. It shall and may be lawful for the said Ecclesiastical Commissioners, when and as in their Judgment it may be proper, but with the previous Approval of the Lord Lieutenant of *Ireland* in Council, to apply any Monies which may be in their Hands or at their Disposal (after answering and providing for the Payments to be made by them under this Act to the Incumbents for the Time being of the Parishes now liable to the Payment of Ministers Money) for the Augmentation of the Incomes of Incumbents having Cure of Souls, or for increasing the Number of Officiating Clergymen of the Established Church within the said City and Suburbs of *Dublin* and Liberties thereunto adjoining, and the said other Cities and Boroughs now liable to the Payment of Ministers Money.

^a Church Temporalities Act, 3 & 4 Wm. 4, c. 57.

11. The said Rate shall not be deemed to be a Cess, 17 Vic. c. 11.
 Rate, or Tax, the Payment of which is necessary to
 enable any Occupier or other Person to be admitted or
 enrolled as a Burgess of any City or Corporate Town in
Ireland, or to vote at any Election of Municipal Commis-
 sioners in any Town in *Ireland*.

Nonpayment
 of Ministers'
 Rate not
 to disqualify
 Burgesses,
 &c.

DUBLIN ACTS: VALUATION, RATES, &c.

2 & 3 VICT. CAP. 78.

An Act to make further Provisions relating to the
 Police in the District of *Dublin* Metropolis.

[*Passed, 24th August 1839.*]

2 & 3 Vic.
 c. 78,
 DUBLIN
 POLICE ACT,
 1839.

This act recites provisions of former Police Acts, (7 Wm. 4 & 1 Vic. cap. 25, &c.), relating to the Valuation on which the assessment of the Dublin Police Tax had previously been founded: and it gives power to the Police Commissioners to appoint a Valuator for making a valuation for the levy of the tax (§ 6), as also to direct, if they should think fit, that it should in future be assessed according to the Poor Law Valuation within the Police District (§ 8), so far as the latter valuation might be applicable. Under these provisions, the Commissioners of Police have, since the passing of this act, adopted the Poor Law Valuation as the basis of their assessment; some particular properties, not valued or liable to be rated under the Poor Law but liable to the Police Tax, being still, when occasion arises, valued under the direction of the Police Commissioners. By the Grand Jury Act for the County of the City of Dublin (1 & 2 Vic. c. 51), the levy of the City Grand Jury Cess was founded on the valuation for the Police Tax, and was accordingly, like the latter, based on the Poor Law Valuation. Provisions contained in these two acts, relating to the subject, follow hereafter; but, under the General Tenement Valuation Act of 1852, these several Valuations are all superseded from and after the completion of the Valuation under that act, which is to be "used for all public and local assessments and other rating*."

* 15 & 16 Vic. c. 63 (p. 352, 365).

2 & 3 Vic.
c. 78,
DUBLIN
POLICE ACT,
1839.

Repeal of
provisions in
previous Act
for assess-
ment of land-
lords of
houses under
£10 value.

Where tene-
ment under
£5 value
immediate
Lessor may
be rated in-
stead of Oc-
cupier, on
agreement
by them and
Police Com-
missioners;
and rebate
may be al-
lowed:

agreement
binding until
disallowed by
Police Com-
missioners,
&c.

Occupier en-
titled to be
rated for such
property,
after six
months' no-
tice.

Provisions in
previous Acts
as to former
Valuations:

EXTRACTS from 2 & 3 Vic. c. 78.

“ § 2. And be it enacted, That so much of the said re-
cited Act^a as enacts, that where any House liable to
Assessment under this Act shall be of a less Annual
Value than Ten Pounds, the immediate Landlord under
whom such House may be held shall be rated and assessed
to the said Tax, shall be and the same is hereby repealed,
save as to any Arrears of any such Assessment now due
in respect of any such House or Tenement; and save as
to any such House or Tenement which has been let or
demised since the passing of the said Act, as to which
the said Enactment shall remain in force so long as such
letting or demise shall continue.

“ 3. Provided always, and be it enacted, That in any
case where the Value of any House or Tenement assessed
under this Act shall not amount to Five Pounds, if the
Occupier and his immediate Lessor, by any Writing un-
der their Hands shall require, and if the said Justices^b
shall by a Minute agree thereto, such immediate Lessor
shall be rated instead of such Occupier; and such Rebate
from the Rate may be made (not exceeding Ten Per Cen-
tum) as the said Justices shall by such Minute allow^c;
and such Minute, until altered as herein-after provided,
shall bind such Lessor, his Heirs and Assigns, unless the
said Justices shall at any Time disallow the same or any
Part thereof, which shall thenceforth, so far as the same
shall be disallowed, be of no effect; and such Minute
shall in no case be altered or rescinded by the said Jus-
tices until Twelve Months after the making or last pre-
vious Alteration thereof, nor within Six Months after the
Consent of the Occupier and Lessor to be affected by the
Alteration shall have been given to such Alteration: Pro-
vided nevertheless, that the Occupier of any Property,
the immediate Lessor of whom shall have been so charged,
shall be entitled to be rated, on giving to the said Jus-
tices Six Months' Notice according to the Form contained
in the Schedule to this Act annexed^d.”

“ 6. And whereas it was enacted by the said first-recited
Act^e, that the said Justices^b should from Time to Time,
as they found Occasion, by Warrant under their Hands,
appoint One or more proper Person or Persons to rate
and assess all Houses, Lands, and Tenements situate and
being within the said District of *Dublin* Metropolis, to

^a Namely, 7 Wm. 4 & 1 Vic. c. 25, § 9.

^b “Said Justices:”—i.e. the Commissioners of the Dublin Me-
tropolitan Police, who under the Police Act 6 & 7 Wm. 4, c. 29, were
appointed Justices for the Police District.

^c Under 11 & 12 Vic. c. 113, § 2, the Immediate Lessor, if his
name be not accurately known, may be rated and described by the
term “Immediate Lessor,” and the rate is recoverable notwith-
standing any error or omission of the name (p. 480).

^d Page 479.

^e 7 Wm. 4 & 1 Vic. c. 25.

such Annual Rate as should from Time to Time be fixed and determined by the said Justices, not exceeding the Amount of Eight pence in the Pound according to the full and fair Annual Value thereof; and that every such Assessor or Assessors should, within Forty Days after the Delivery to him or them of the Warrant of his or their Appointment, deliver to the said Justices an Assessment for each Place named in such Warrant, which Assessment should specify the Names of the several Owners or Occupiers of the respective Houses, Lands, and Tenements comprised in such Assessment, the full and fair Annual Value of the same, and the Amount of Police Tax chargeable thereon respectively; and it was also provided by the said Act, that all Houses, Lands, and Tenements included in the general Valuation made of the City of *Dublin*, pursuant to an Act passed in the Fifth Year of the Reign of King George the Fourth intituled *An Act to provide for valuing the Houses situate in and near the City of Dublin, and for the more equal Payment of the Local Taxes therea*, should, so far as such Valuation might be applicable to the Purposes of the said recited Act, be valued, rated, and assessed to the said Police Tax according to their respective Annual Values, as set forth in such Valuation, and that the said Assessors should adopt the same, and rate such Houses, Lands, and Tenements accordingly, unless where, upon appeal from any Assessment made under the said first-recited Act in manner therein-after mentioned, it should have been determined that the said Valuation was erroneous: and whereas the said general Valuation made pursuant to the said Act of the Fifth Year of the Reign of King George the Fourth has been found to be erroneous to a great Extent, and the same cannot, under the herein-before recited Enactments, be amended, except upon Appeal; and it is therefore necessary to enable the said Justices^b to correct such Valuation; and it is also expedient to enable them to make a Valuation of any House, Lands, and Tenements not included in such general Valuation, which they may think necessary, previous to the Imposition of the Rates and Taxes which by the said Act they are authorized to levy:—Be it therefore enacted, That it shall and may be lawful for the said Justices^b from Time to Time, as they shall think fit, by Warrant under their Hands, to appoint One or more proper Person or Persons as Valuator or Valuers, to ascertain the full and fair Annual Value of all and every or any of the Houses, Lands, and Tenements liable to Assessment under the said Act, whether included or not included in the said general Valuation, and, if they shall so think fit, to annex a Schedule to such Warrant, specifying the Houses, Lands, and Tenements which such

2 & 3 VIC.
c. 78,
DUBLIN
POLICE ACT,
1839.

Police Commissioners
may appoint
Valuers of
tenements
liable to
assessment:

^a 5 Geo. 4, c. 118.

^b "Justices;" i.e. Police Commissioners: see note ^b in p. 476.

2 & 3 Vic.
c. 78,
DUBLIN
POLICE ACT,
1839.

Valuators to
have same
powers as
under pre-
vious Act:
and to
verify their
Valuation on
oath:

Police Com-
missioners to
assess prop-
erty so valu-
ed according
to value set
forth by the
Valuators;
not exceed-
ing 8*d.* in the
pound.

Poor Law
Valuation
may be
adopted by
Police Com-
missioners as
the basis of
Police Tax.

Valuator or Valuators shall value; and the Valuator or Valuators so appointed shall for that Purpose have all such Powers and Authorities as by the said Act passed in the Fifth Year of the Reign of King George the Fourth, were conferred upon the Persons appointed to make the Valuation thereby authorized: and shall, within such Period as the said Justices^a shall direct, return such Valuation to them, and verify the same upon Oath, (which Oath the said Justices^a, or either of them, are or is hereby authorized to administer): and every such Valuation, so far as the same shall extend, shall, subject to such Appeal as herein-after mentioned from any Assessment founded in the whole or in part on such Valuation, be, as to the Houses, Lands, and Tenements comprised therein, adopted in making the Assessment which the said Justices are or shall be authorized to make or direct to be made under the said Act or this Act.

“7. And be it enacted, That the said Justices^a shall from Time to Time rate and assess, or cause to be rated and assessed all Houses, Lands, and Tenements so valued by the Valuator or Valuators appointed under this Act, according to the Value or Values as returned by the said Valuator or Valuators, not exceeding Eight-pence in the Pound on such Values; and shall also rate or assess, or cause to be rated and assessed, all Houses, Lands, and Tenements, not valued as aforesaid by the Valuator or Valuators appointed under this Act, according to the Value of such Houses, Lands, and Tenements set forth or adopted in the Assessment which shall have been then last delivered to the said Justices by the Assessors who were appointed under the first-recited Act, or shall have been then last made under the said Act or this Act, subject to such Appeal as hereinafter-mentioned.

“8. And be it enacted, That it shall and may be lawful for the said Justices^a, if they shall so think fit, to direct any Houses, Lands, or Tenements liable to Assessment as aforesaid, to be assessed to the said Police Tax according to the Valuation (so far as the same may be applicable) which shall have been made under or for the Purposes of an Act passed in the last Session of Parliament, intituled *An Act for the more effectual Relief of the destitute Poor in Ireland*^b; and in case of any such Direction^c, the said last mentioned Valuation shall be adopted from Time to Time in so rating and assessing by virtue of this Act, and shall be valid for the Purposes of this Act and the said recited Act, anything herein or therein contained to

^a “Justices;” i.e. Police Commissioners: see note ^b in p. 476.

^b See 1 & 2 Vic. c. 56, § 66, and subsequent provisions referred to in note thereon, (p. 51.)

^c In pursuance of such directions given by the Police Commissioners, the Poor Law Valuation was adopted as the basis of the Police Rates, before the completion of a Valuation under the General Tenement Valuation Act of 1852, 15 & 16 Vic. c. 63 (p. 354, 365).

the contrary notwithstanding; and for the Purposes aforesaid it shall be lawful for the said Justices^a, or for any Person by their Authority, to inspect and take Copies or Extracts from any Rate or Assessment made by virtue of the said last-mentioned Act, which shall include any Property situate within the Police District of Dublin Metropolis."

2 & 3 Vic.
c. 78,
DUBLIN
POLICE ACT,
1839.

"10. And be it enacted, That all Public Buildings liable to be rated and assessed for the Purposes of an Act passed in the Forty-seventh Year of the Reign of His late Majesty King George the Third, intituled *An Act for the more effectual Improvement of the City of Dublin and Environs thereof*^b, and of an Act passed in the Fifty-fourth Year of the Reign of His said late Majesty^c, to explain and amend the said Act of the Forty-seventh Year of the Reign of His said late Majesty, or of either of the said Acts, shall be rated and assessed for the Purposes of and in the Manner directed by the said first-recited Act or this Act: Provided always, That for the Purposes of this Act, the Exemption of Charitable Establishments from any Rate or Assessment as specified in the said Act of the Fifty-fourth Year of the Reign of His said late Majesty^c, shall extend to any Charity School or Building used exclusively for the Education of the Poor."

Public build-
ings which
are subject to
assessment
for Police
Tax.

"SCHEDULE to which the foregoing Act refers^d.

"I, A. B., Occupier of [*describe the Property as nearly as possible in the Manner in which it is described in the Valuation*], in respect of which B. C. [*the Lessor*] is now rated, hereby require to be rated as the Occupier of the same; and I do hereby undertake to pay all Rates lawfully made in respect of such Property under the Authority of the Act passed in the session of Parliament, held in the Second and Third Years of the Reign of Her Majesty Queen Victoria, to make further provisions relating to the Police in the District of Dublin Metropolis. A. B."

Form of Oc-
cupiers'
claim to be
rated in Po-
lice Rate, for
property
for which
Lessor has
been rated.

11 & 12 VICT. CAP. 113.

An Act for the further amendment of the Acts relating to the Dublin Police.

[*Passed, 4th September 1848.*]

11 & 12 Vic.
c. 113,
DUBLIN
POLICE ACT,
1848.

The following is inserted as in some particulars modifying the provisions already inserted relating to Dublin assessments: but the provisions relating to the making and Collection of the police rates in the Dublin Metropo-

^a "Justices;" i.e. Police Commissioners: see note ^b in p. 476.

^b 47 Geo. 3, c. 109 (sess. 2). ^c 54 Geo. 3, c. 221. ^d § 3 (p. 476).

11 & 12 Vic. litan Police District, are now superseded by the Dublin
 c. 113, Rates Collection Act of 1849^a, as the provisions relating
 DUBLIN to the making of Valuations have been by the General
 POLICE ACT, to the making of Valuations have been by the General
 1848. Tenement Valuation Act referred to in p. 475.

EXTRACTS.

In rating
 Immediate
 Lessor, in
 Police Rate,
 he may be
 described as
 "Immediate
 Lessor," if
 name un-
 known.

"§ 2. And whereas, by the said recited Act of the Second and Third Years of the Reign of Her present Majesty^b it is, amongst other things, enacted, that in any case where the Value of any House or Tenement assessed under the said Act shall not amount to Five Pounds, if the Occupier and his Immediate Lessor, by any Writing under their Hands, shall require, and if the said Justices^c shall by a Minute agree thereto, such Immediate Lessor shall be rated instead of such Occupier, and such Rebate from the Rate may be made (not exceeding Ten per centum) as the said Justices^c shall by such Minute allow, and subject to such further regulations as in the said Act contained: Be it enacted, That in any Case where the Immediate Lessor of any House or Tenement may, under the said recited Act, be rated instead of the Occupier, if at the Time of making any Rate the Name of such Immediate Lessor be not accurately known to the Persons making the Rate, it shall be sufficient to describe him therein as the 'Immediate Lessor,' with or without any Name or further Addition; and such Rate shall be held to be duly made on him or her by such Description, and shall be recoverable from him or her accordingly, notwithstanding any Error or Defect in his or her Name or Description, or the entire Omission of such Name therein.

Powers for
 Collection
 and Recovery
 of Police Tax,
 same as for
 recovery of
 County Cess.

2 & 3 Vic. c.
 78.

Dublin
 Police Magis-
 trates to have
 same powers

"3. And be it enacted, That from and after the passing of this Act, it shall and may be lawful for the several Collectors authorized or appointed to receive the Police Tax or Rate under the Provisions of the said recited Acts or any of them (after such Demand made as in the said recited Act of the Second and Third Years of Her present Majesty's Reign mentioned), in Addition to all other Modes and Powers heretofore provided by any former Act or Acts to collect, levy, sue for, and recover the said Police Tax or Rate, or any Part of the same, from all and every Persons and Person who now are or is or hereafter shall be liable to pay the same, by all the Ways and Means and with the like Remedies and Powers in case of non-payment as the Grand Jury Cess, or the Money apportioned on the several Persons liable to pay the same, may be collected and levied in any County in Ireland; and the Divisional Justices of the Police District of Dublin Metropolis, or any one of them, shall, for the Purposes of

^a 12 & 13 Vic. c. 91, (p. 501).

^b 2 & 3 Vic. c. 78, § 3 (p. 476).

^c "Justices":—i.e. the Dublin Metropolitan Police Commissioners: see note ^b in p. 476.

raising, levying, or enforcing Payment of such Police Tax or Rate, have and exercise the same Powers, Authorities, and Jurisdiction within the Police District of Dublin Metropolis as any Justice or Justices of the Peace of any County in Ireland has or have or can or shall lawfully have or exercise within his or their respective County with respect to any Grand Jury Cess to be raised within the same."

11 & 12 Vic.
c. 113,
DUBLIN
POLICE ACT,
1848.

in Dublin as
Justices in
any County in
Ireland.

1 & 2 VICT. CAP. 51.

An Act to amend the Laws relating to the Levy of Grand Jury Cess in the County of the City of *Dublin*.

[*Passed, 27th July 1838.*]

1 & 2 Vic.
c. 51,
GRAND JURY
ACT, CITY
OF DUBLIN,
1838.

EXTRACT relating to the Assessment of Cess, founded on the Valuation referred to in previous Act (2 & 3 Vic. c. 78^a).

"§ 1. WHEREAS the System now used in the County of the City of Dublin, of apportioning the Sums to be raised by Grand Jury Presentment according to the Amount of Ministers' Money^b charged upon each House therein, is partial and unequal: And whereas, under an Act passed in the Fifth Year of the Reign of King George the Fourth, intituled *An Act to provide for Valuing the Houses situate in and near the City of Dublin, and for the more equal Payment of the Local Taxes there^c*, and under another Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to make more effectual Provisions relating to the Police in the District of Dublin Metropolis^d*, Provision has been made for a just and equal Valuation of all Houses, Lands, and Tenements contained therein; and it is expedient that such Valuation, so far as it extends, should be the Basis of the Assessment and Applotment of all Sums to be raised by Grand Jury Presentment in the County of the City of *Dublin*: Be it therefore enacted, by, &c., That from and after the Commencement of this Act, all Sums to be raised by Grand Jury Presentment in the County of the City of *Dublin*, and within the Police District of *Dublin* Metropolis, shall be apportioned and applotted upon all Lands, Houses, and Tenements therein respectively, according and in proportion to the value of each and every such House, Land, or Tenement respectively, as contained in the Valuation or Assessment so made under the said recited Acts, so far as such Valuation or Assessment shall extend or be applicable; and

Ministers'
Money and
Valuations
formerly
used for
applotment
of Cess in
Dublin.

Grand Jury
Cess in City
and Police
District of
Dublin, to
be applotted
according to
the Valuation
for the Police
Tax.

^a Page 476: and see introductory observations in p. 475.

^b See 17 Vic. c. 11, as to Ministers' Money, (p. 469).

^c 5 Geo. 4, cap. 118.

^d 7 Wm. 4 & 1 Vic. c. 25. See subsequent act, 2 & 3 Vic. c. 78, under which the Police Tax is now assessed according to the same valuation which is used for the Poor Rate (p. 475-6).

1 & 2 Vic.
c. 51,
GRAND JURY
ACT, CITY
OF DUBLIN,
1838.

Cess charge-
able upon
same tene-
ments and
persons, and
recoverable
in like
manner, as
Police Rate.

County Trea-
surer of City
to obtain
from Police
Commis-
sioners, a
copy of their
Valuation:

County Trea-
surer in like
manner to
obtain copy
of alterations
in Valuation]
from time to
time;

Grand Jury
to assess ac-
cording to
such Valua-
tion.

that such Apportionment and Applotment shall be liable to be varied and altered from Time to Time in manner herein after mentioned, according as such Police Valuation or Assessment shall be altered or varied, upon Appeal or otherwise, as in the said recited Acts is provided^a.

“2. And be it enacted, That such Grand Jury Cess shall be chargeable upon the like Tenements according to their Value respectively in such Police Assessment, and payable by the like Persons. and recoverable in the same Manner, as the said Police Rate or Tax is chargeable, payable, and recoverable, under and by virtue of the Provisions of the said recited Acts, and not otherwise.

“3. And be it enacted, That the Treasurer of the County of the City of *Dublin* shall, and he is hereby required, Fifteen Days at the least previous to the First Day of Easter Term next after the passing of this Act, to demand from the Justices^b appointed under the said recited Acts, passed respectively in the Sixth and Seventh Years of the Reign of His late Majesty and in the First Year of Her present Majesty, a Copy of such Valuation as aforesaid, which the said Justices^b are hereby empowered and required to give within Seven Days after such Demand: and such Treasurer shall forthwith divide and prepare such Valuation into Parochial Lists or Valuations, according to the respective Parishes or Parts thereof in which the Houses, Lands, and Tenements contained therein are situate respectively; and shall lay such Valuation so prepared and divided before the Grand Jury of the said County of the City of *Dublin*, upon the first Day of Meeting of such Grand Jury after the Commencement of this Act; and the said Treasurer shall, and he is hereby required thenceforward, Fifteen Days at the least before each Presenting Term, to call upon such Justices^b to furnish him with a Copy or Schedule of all such Alterations or Variations in the said Valuation as shall have been made under the Provisions of the said recited Acts from Time to Time, and which said Justices are hereby empowered and required in like manner to furnish to such Treasurer, who shall amend such Valuation accordingly, and lay the same in such corrected and amended Form before such Grand Jury upon the First Day of each Presenting Term; and such Grand Jury shall thereupon assess the several Sums to be raised by Grand Jury Presentment upon the several Parishes or Portions thereof, in the County of the City of *Dublin*, according and in proportion to their re-

^a See § 8 of 2 & 3 Vic. c. 78 (p. 478), in pursuance of which the Police Assessment was afterwards founded on the Poor Law Valuation; and under the provisions of the present act of 1 & 2 Vic. c. 51, the Grand Jury Cess in the City of Dublin was accordingly assessed upon the same basis. But see observations in p. 475 in reference to the General Tenement Valuation Act of 1852.

^b “Justices;” i. e. the Police Commissioners: see note ^a in p. 476.

spective Valuation in such general Valuation or Assessment; and in the event of the said Treasurer neglecting so to demand and furnish to the Grand Jury such Copy of the said Valuation, or in the event of the said Justices^a refusing or neglecting to comply with such Demand, within the Period aforesaid, such Treasurer or Justices^a so defaulting, shall for every such Default, forfeit and pay a Sum of Fifty Pounds to any Person who shall sue for the same by Civil Bill.

1 & 2 Vic.
c. 51.

Penalty on
Treasurer or
Police Com-
missioners
for refusal or
neglect.

“4. And be it enacted, That, together with the Warrant specifying the Amount so assessed by the said Grand Jury upon each Parish or Part of a Parish in the County of the City of *Dublin*, such Treasurer shall furnish to the Churchwarden or other proper Person or Persons therein respectively, a correct and proper Copy of so much of the said Valuation as shall appertain thereto; and the Amount of the Assessment to be raised off such Parish or Part of a Parish, shall be applotted and apportioned in conformity with and in proportion to the Value of each and every House, Land, or Tenement contained therein respectively, as the same shall be inserted in such Valuation.

Treasurer to
furnish to
Churchward-
ens of each
parish, a
copy of the
Valuation
thereof, &c.
to be applot-
ted accord-
ingly.

“5. And be it enacted, That within Ten Days after every such Applotment shall have been completed, such Churchwardens or other proper Person or Persons shall, together therewith, return the said Valuation to the said Treasurer, and such Valuation shall be preserved by him amongst the County Records in his Office; and the Lord Mayor of the said City shall, at the instance of the said Treasurer, issue his Warrants as now by Law required, for the Collection^b of the Sums so applotted, and the same shall be collected and levied accordingly.

After Ap-
plotment, it
and Valua-
tion to be
returned to
Treasurer,
and Lord
Mayor to
issue his
warrant for
collection.

“6. And be it enacted, That it shall and may be lawful for the said Grand Jury of the County of the City of *Dublin* to present a reasonable Sum to be paid to the Receiver of the Police Tax or Rate in the said City, under the said recited Acts, as and for the Expenses of preparing such Copy of the said Valuation and the said Alterations and Corrections therein from Time to Time.”

Grand Jury
may present
payment for
copy of Valu-
ation and
alterations.

3 & 4 VICT. CAP. 58.

An Act to amend the Acts relating to the River *Poddle* in the County and City of *Dublin*.

[*Passed, 7th August 1840.*]

3 & 4 Vic.
c. 58,
DUBLIN
PODDLE
RATES ACT,
1840.

After reciting provisions of acts passed in 18 Car. 2, (I.), and 36 Geo. 3, (I.), under which Commissioners were appointed for maintaining and improving this drainage or watercourse, who were empowered to levy certain rates for the purpose,—this act abolished those Commissioners,

^a “Justices;” i.e. Police Commissioners: see note ^b in p. 476.

^b See observations as to collection, in p. 479–80.

3 & 4 Vic.
c. 58,
DUBLIN
PODDLE
RATES ACT,
1840.

and transferred their duties and powers to the Dublin Paving Board (§ 3). These powers and duties have since been transferred by the Dublin Improvement Act of 1849, 12 & 13 Vic. c. 97, § 58. (p. 524), to the Corporation of the Borough of Dublin.

EXTRACTS from 3 & 4 Vic. c. 58, relating to Assessment
founded on the Poor Law Valuation.

Paving Board
empowered
to levy Rates
not exceed-
ing £300
a-year, for
maintaining
and improv-
ing the drain-
age of Poddle
watercourse:
to be levied
on tenements
described.

“ § 7. And in order to raise a Fund to carry the Purposes of the said recited Acts and this Act into Execution, in lieu of the said Tax, Rate, or Assessment hereby abolished, be it enacted, That the said Commissioners for Paving, Cleansing, and Lighting the Streets of *Dublin*, and their Successors, shall from Time to Time, as often as they shall find it necessary, after the commencement of this Act, and they are hereby empowered to impose and levy such Rate, Tax, or Assessment as they shall think sufficient, not exceeding Three Hundred Pounds in any One Year. to defray the Expense of carrying the said recited Acts and this Act into Execution, upon Her Majesty's Castle of *Dublin* and the Precincts thereof, and upon the said Cathedral Church of Saint Patrick, *Dublin*, and upon all and every the Houses and Tenements situate within the Jurisdiction of the said Commissioners for Paving, Cleansing, and Lighting the Streets of *Dublin*, under which the said Watercourse called the Poddle River runs or shall run, or from whence any Water shall flow through any Sewer or Drain into the said Watercourse; and upon every the Houses and Tenements now built or to be built on the Sides of Streets, the Kennels of which Streets empty and discharge themselves directly into the said Watercourse, or into any Sewer or Drain communicating with, or leading or running into the said Watercourse: and such Rate, Tax, or Assessment shall be imposed and levied according to and in the Proportions herein-after mentioned; that is to say, upon Her Majesty's said Castle of *Dublin* and the Precincts thereof, a Sum not exceeding one Moiety of the entire Amount of the said Rate, Tax, or Assessment; and upon the said Cathedral Church of Saint Patrick, *Dublin*, a Sum not exceeding One Twelfth Part of the entire Amount of such Rate, Tax, or Assessment; and upon all and every the Houses and Tenements situate and being as aforesaid, a Sum not exceeding Five Twelfth Parts of the entire Amount of such Rate, Tax, or Assessment.

Proportions
of assess-
ment.

Made in
which Rate
on Dublin
Castle and
St. Patrick's
Cathedral to

“ § 8. And be it enacted, That the Rate or Rates so to be assessed on Her Majesty's Castle of *Dublin*, and the Precincts thereof, shall from Time to Time be paid and payable to the said Commissioners^a under this Act, by the Commissioners of Public Works in *Ireland*; and the Rate

^a Now, the Town Council, under § 58 of 12 & 13 Vic. c. 97 (p. 524).

or Rates to be assessed on the said Cathedral Church of Saint Patrick, *Dublin*, shall from Time to Time be paid and payable to the said Commissioners^a under this Act, by the Treasurer for the Time being of the Dean, Dignitaries, and Prebendaries of the said Cathedral Church, and his and their Successors, out of the Economy Fund of the said Cathedral Church; and in case of Non-payment, shall and may be recovered by all such Ways and Means, and Remedies, by which any Sum or Sums rated or assessed upon the Dean, Dignitaries, and Prebendaries of the said Cathedral Church of Saint Patrick, *Dublin*, and the said Castle of *Dublin*, or either of them, under the said two first-recited Acts, or either of them, might or would have been levied or recovered thereunder.

3 & 4 Vic.
c. 58,
DUBLIN
PODDLE
RATES ACT,
1840.

be paid an
recovered.

“9. And be it enacted, That the Proportion of such Rate so to be assessed on the Houses and Premises situate and being as aforesaid, shall be assessed and levied upon the said several Houses and Tenements rateably according to the Net Annual Value thereof respectively, as the same are now or shall from Time to Time be hereafter valued and rated, under an Act passed in the session of Parliament holden in the First and Second Years of the Reign of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in Ireland*; and in making such Assessment for the Purposes of this Act, the like Exemptions and Deductions^b shall be allowed as, by the said recited Act of the First and Second Years of Her present Majesty's Reign, are directed in respect of the Rate for the Relief of the Poor to be made thereunder.

Rate to be
assessed on
net annual
value, as in
Poor Rates:

with same
exemptions
and deduc-
tions.

“10. And be it enacted, That every Rate made under the Authority of this Act, shall be paid to the Person authorized to collect the same, by the Person in the actual Occupation of the rateable Property at the Time of the Rate being made, from whom such Rate shall be demanded; and on his Default, then by the Person subsequently in the Occupation of the rateable Property from whom such Rate shall be demanded.”

Occupier at
time of
Rating, to
pay the Rate;
or in his de-
fault, subse-
quent Occu-
pied

“13. Provided always, and be it enacted, That no House or Premises shall be rated or assessed under this Act, which is or shall be valued under this Act at a lesser Sum than Fifteen Pounds net annual Value.

But no house
under £15
value to
be rateable.

“14. And be it enacted, That where any House or Tenement shall be let in Lodgings to different Persons, and the Persons letting such Lodgings shall not reside in the said House or Tenement, then and in every such case the Persons letting such Lodging, or the Immediate Lessor or Lessors under whom all the different Holdings in such House or Tenement shall be derived, shall be subject and liable to the Payment of the said Tax thereon; and if such Lodgers, or any of them, shall pay the same or any Part thereof, he, she or they shall be entitled to deduct

Recovery of
Rates on
Lodging
Houses.

^a Now, the Town Council, under § 58 of 12 & 13 Vic. c. 97 (p. 524).

^b 1 & 2 Vic. c. 56, § 74, (p. 57,) *et seq.*

3 & 4 Vic.
c. 58,
DUBLIN,
PODDLE
RATES ACT,
1840.

Paving Board
may inspect
Poor Law
Valuations
and Rates of
Unions con-
cerned ;

and take co-
pies or ex-
tracts there-
from.

If at time of
assessment,
any tene-
ments are not
valued for
the Poor
Rate, Paving
Board to have
them valued
according to
the provi-
sions of Poor
Law :

Such Valu-
ation to be
Evidence for
purposes of
this act.

the Sum or Sums so paid out of his or her Rent for such Lodgings.

“ 15. And be it enacted, That it shall and may be lawful for the said Commissioners^a, or any Person or Persons authorized by them, at all convenient Times, to inspect the Books of Valuation and Rates made by the Boards of Guardians of the Unions in which any House or Tenement liable to Assessment under this Act shall be situate, in order to ascertain or regulate the Rates and Assessments to be laid and raised by virtue of this Act, and to take Copies and Extracts of and from such Books respectively : which Inspection, Copies and Extracts, the respective Boards of Guardians, their Clerks and other Officers, having the Custody of such Books of Valuation and Rates, are hereby required to permit to be made and taken, without any Fee or Reward.

“ 16. Provided always, and be it enacted, That if any of the said Houses or Tenements shall not at the Time of any such Assessment to be made under this Act, have been valued for the Rate for the Relief of the Poor as aforesaid, then and in such case, it shall and may be lawful to and for the said Commissioners^a, by Writing under their Hands, to nominate and appoint any Three Persons conversant in Buildings, whom they shall think fit, to make and ascertain a Valuation of such Houses and Tenements ; which Valuation shall be returned to the said Commissioners^a, with a Declaration thereunto annexed, made before any Justice of the Peace for the County of the City of *Dublin*, purporting that such Valuation was made by the said Valuers according to the best of their Skill and Knowledge, without Partiality or Favour to any Person or Persons concerned or interested therein, according to the Mode pursued and directed by the said recited Act for the Relief of the Destitute Poor in *Ireland* ; which Valuation so made shall, for the Purposes of this Act only, and for no other Purpose, be deemed Evidence of the Annual Value of the same respectively.”

6 & 7 Vic.
c. 102,
DUBLIN
RATES ACT,
1843.

6 & 7 VICT. CAP. 102.

An Act for the more equal Applotment of certain Rates in the County of the City of *Dublin* and County of *Dublin* respectively.

[*Passed, 22nd August 1843.*]

EXTRACTS, &c.

§ 1 repeals certain parts of 54 Geo. 3, c. 221, as regards Rates for Paving, Lighting, &c., in the City of Dublin.

^a Now, the Town Council, under § 58 of 12 & 13 Vic. c. 97 (p. 524).

§ 2. "And be it enacted, That from and after the passing of this Act, every Rate to be at any Time made, assessed, or levied under the Authority of the said recited Act or Acts by the said Commissioners for paving, lighting, and cleansing the streets of *Dublin*, shall, save and except as herein after mentioned, be a Poundage Rate, and shall be made, assessed, and levied upon all and every the Houses, Buildings, Lands, Tenements, and Hereditaments whatsoever, within the Jurisdiction of the said Commissioners, liable to be anywise rated and assessed under the Provisions of the said Act or Acts, for the Purposes thereof, equably, according to the Net Annual Value thereof respectively, as the same now are or shall from Time to Time be hereafter valued and rated under an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in Ireland*, or any Act or Acts amending the same: Provided always, that nothing herein contained shall extend to or affect the Provisions made by the said recited Act or Acts as to the Mode of rating and assessing Colleges, Schools, Market Houses, Halls, Theatres, Storehouses, Store-yards, Docks, Courts of Law, and other public Buildings, used for public Purposes, or the Grounds or Tenements thereto respectively adjoining or therewith occupied and enjoyed, nor as to the Mode by the said recited Act or Acts prescribed for the Assessment and Applotment of any Tax or Rate for the Watering of the Squares, Streets, and other public Passages within the Jurisdiction of the said Commissioners, or for defraying the Costs, Charges, and Expenses of altering, changing, rebuilding, extending, or enlarging any private Sewer, Drain, or Cesspool, or the Site or Course thereof, or fencing or enclosing void Spaces or Lots of Building Ground, or for Flagging in front of any House or other Building, void Space, or Lot of Building Ground, or for paving or shingling the Carriageway in front of the same so far as the Centre of the Street or other Passage to which they may front, or for building a main Sewer or cross Drain from such House or other Building, void Space, or Lot of Building Ground into a main Sewer, within the Jurisdiction of the said Commissioners, or both."

6 & 7 Vic.
c. 102,
DUBLIN
RATES ACT,
1843.

—
Rates for
paving, light-
ing, &c. in
Dublin, to
be assessed
according to
Poor Rate
Valuation.

1 & 2 Vic.
c. 56.

§ 4 repeals so much of a prior act (42 Geo. 3, c. 92,) as provided that the Pipe-Water Rent should be levied according to the amount of Ministers' Money payable from each dwelling house; and § 5 lays down a new scale of Pipe-Water Rates or Rents to be levied according to the valuation and rating of houses for the Poor Rate, and to be demanded and taken "from the Owner or Occupier of every Dwelling House within the said City of Dublin, and the Liberties and Suburbs thereof, and such

6 & 7 Vic.
c. 102,
DUBLIN
RATES ACT,
1843.

Parts of the Liberties of St. Sepulchre's as are subject to the payment of Pipe-Water Rent." As to Valuations, see observations in p. 475, referring to the General Tenement Valuation.

Separate Valuations to be made by Guardians of Property in Dublin liable to Rates herein, but not liable to Poor Rate.

"9. And whereas certain Hereditaments by the herein-before recited Acts made chargeable for the Purposes of the said Acts respectively may not have been included in the Valuation made for the Purpose of Poor Rates, and it is expedient that any such Property should be valued in like Manner and upon the same Scale as that which is so rated: And whereas in the Valuation made for the Purpose of Poor Rates, Dwelling Houses may be in certain Cases valued together with Property not comprehended in that Term, and a separate Valuation of such Dwelling Houses may be necessary for the Purpose of assessing the said Pipe-Water Rates or Rents; be it therefore enacted. That in all Cases of Property which is or shall be liable to the Payment of any Rate or Assessment or Rates or Rents under the Provisions of the herein-before Acts or any of them, and which shall not be included in the Rate for the Relief of the Poor in the Union wherein the same may be situate, and in the Case of Dwelling Houses, valued together with other Property, the Guardians of the Poor of such Union shall make and declare or cause to be made and declared separate Valuations of all or any such Property and Dwelling Houses situate in any Ward or Townland, or other Denomination proper for that Purpose within the Union, in like Manner and subject to the like Direction of the Poor Law Commissioners for the Time being, as by Law required and directed with respect to Hereditaments rated as aforesaid; and every such separate Valuation of Property not liable to be rated to the Relief of the Poor shall contain in a separate Column a Statement of the Ground of such Exemption; and all such separate Valuations, when made, shall be subject in all respects to the like Right of Appeal, Regulations, Additions, or Alterations, and shall be of like Force and Effect under the Provisions of this Act, as any Valuation made for the Purposes of a Rate for the Relief of the Poor, as nearly as the Circumstances of the Case will admit; and Copies of such separate Valuations shall be furnished by the Clerk of the Guardians of the Poor of such Union in the same Manner and within the same Period as is herein-after directed with respect to Copies of the Rates.

Clerks of Dublin Unions to make Copies of last Poor Rate, and of supplemental Valua-

"10. And be it enacted, That within Twenty-one Days after the passing of this Act, the Clerk of the Guardians of the Poor of the *North Dublin* Union and the Clerk of the Guardians of the Poor of the *South Dublin* Union, respectively, shall make out a true and perfect Copy of the then last made Rate for the Poor therein, and of such supplemental or separate Valuations as are herein-before directed.

to be made, or of so much of them or either of them as shall relate to any Property liable to the Rates and Assessments herein-before mentioned, or as shall be required by the said Commissioners for paving, lighting, and cleansing the Streets of *Dublin*, or as shall relate to the Rates or Rents herein-before mentioned, or as shall be required by the Secretary and Supervisor of the Pipe-Water Establishment, or such other Officer as shall be thereunto empowered by the Right Honourable the Lord Mayor, Aldermen, and Burgesses of the City of *Dublin*; and shall deliver the same, attested and certified by him, to the said Commissioners for paving, lighting, and cleansing the Streets of *Dublin*, and to the said Secretary and Supervisor or other Officer as aforesaid; and such Clerk as aforesaid, from Time to Time, and as often as any Additions to or Alterations in the said Rate for the Relief of the Poor shall have been made, whether by Appeal or otherwise, shall, within Ten Days after such Rate and supplemental Valuation shall have been so added to or altered, make true and perfect Copies of such Additions or Alterations, and deliver the same, attested and certified by him to the said Commissioners for paving, cleansing, and lighting the Streets of *Dublin*, and to the said Secretary and Supervisor or other Officer as aforesaid.

6 & 7 Vic.
c. 102,
DUBLIN
RATES ACT,
1843.

—
tions, for pur-
poses of this
Act:

And of any
Additions
and Altera-
tions therein.

“11. And be it enacted, That the entry of such Rate or supplemental Valuation, or in the Absence of the Original, such attested or certified Copy of such Rate or supplemental Valuation, Addition, or Alteration, as aforesaid, shall in all Cases be and be deemed and taken to be conclusive Evidence of all the Matters contained therein.”

Entries of
Rate:

8 & 9 VICT. CAP. 193.

“An Act to amend the Acts for Regulating the Pipe-Water of the City of *Dublin*,” &c:

[*Passed, 4th August 1845.*]

8 & 9 Vic.
c. 193,
DUBLIN
PIPE WATER
RATING,
1845.

This act enables the Dublin Corporation to extend the supply of Pipe-Water beyond the boundary of the Borough. The preamble recites several acts of the reign of George III. relating to the supply of water for the City of Dublin; and also the act 6 & 7 Vic. c. 102, for the more equal applotment of certain Rates in the County of Dublin, the provisions of which, so far as they have reference to the Valuations and duties of Poor Law officers, are already set forth in the preceding pages.

The following are provisions extracted from the present act, so far as it refers to the Poor Law statutes, or has relation to the duties of Union Officers:—

8 & 9 Vic.
c. 193.
DUBLIN
PIPE WATER
RATING,
1845.

EXTRACTS relating to Poor Rate and Valuations, &c., from
8 & 9 Vic. c. 193.

On applica-
tion of 21
householders
of any parish
adjoining the
Borough of
Dublin, oc-
cupying a
house rated
in Poor Rate
at £20, Lord
Lieutenant
may autho-
rize the car-
rying this
Act into exe-
cution.

“ § 1. From and after the passing of this Act, upon the Application of Twenty-one or more Householders residing in any Parish or Portion of a Parish situate in the County of *Dublin*, adjoining to but outside the Boundary of the Borough of the City of *Dublin*, each of such Householders occupying a Dwelling House assessed or rated under the provisions of an Act passed in the First and Second Years of the Reign of Her Majesty Queen Victoria, intituled *An Act for the more effectual Relief of the Destitute Poor in Ireland*, as of the annual Value of Twenty Pounds or more, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being, to authorize the carrying this Act into execution within the said Parish or Portion of a Parish ;”

and to direct two Justices to convene a Meeting for the purpose in manner provided.

§ 2 prescribes the mode of convening the meeting, and regulates the time and place of holding it, and publication of Notice thereof.

Residents in
Parish, rated
in Poor Rate
for a house of
£5 net annual
value, may
attend and
vote.

“ § 3. And be it enacted, That at any Meeting convened as herein-before directed, every Person who shall reside within the Parish or Portion of a Parish, as the Case may be, where such Meeting shall be held, and who shall have been assessed or rated under the Provisions of an Act passed in the First and Second Years of the Reign of Her Majesty Queen Victoria, intituled *An Act for the more effectual Relief of the Destitute Poor in Ireland*, for or in respect of a Dwelling House situate in any Parish or Portion of the same, of the annual Value according to said Rate of Five Pounds or more, shall be admitted and entitled to vote thereat, and no other Person whatsoever.

Persons
liable to be
rated since
last Rate
made, and
consenting to
be rated, en-
titled to vote.

“ 4. Provided always, and be it enacted, That when any Person shall have become liable to be rated in any such Parish or Portion of a Parish, at any Time after the making of the last preceding Rate, and shall consent to be rated in the like Manner as if he had been actually rated for the same, such Person shall, if otherwise qualified, be entitled to vote as if he had been actually rated.

Non-pay-
ment of Rate
for 7 days
disqualifies
for voting.

“ 5. Provided always, and be it enacted, That no Person who shall have refused or neglected to pay any Rate duly imposed as aforesaid, and which shall have been demanded from him Seven Days previously, shall be entitled to vote or be present at any Meeting called as has been herein-before directed, until he shall have paid and satisfied such Rate.”

Disputes as to right to vote are to be decided by Justices presiding at the Meeting, (§ 6.)

“7. And be it enacted, That the said Justices, or One of them, shall, Three Days previous to any such Meeting, summon or cause to be summoned the Clerk of the Guardians of the Poor Law Union in which the said Parish or Portion of a Parish is situate; who shall thereupon attend such Meeting, or in Case of unavoidable Absence, shall appoint some Person to attend on his Behalf, and shall then and there produce the Rate or Valuation Book or Books in which the said Parish or Portion of a Parish is rated or valued, in order that Reference may be had thereto, if necessary: and if any Controversy shall arise at any such Meeting as to the Qualification or Right of Voting, or Eligibility of any Person to vote, such Controversy shall be determined by Reference to the said Book or Books so produced by the said Clerk of the Poor Law Guardians, who shall point out to the Justices presiding at such Meeting as aforesaid, the Entry or Entries in the said Book of rating, of the Person whose Vote or Eligibility to vote shall be so in Controversy as aforesaid; and the said Justices shall thereupon give Judgment accordingly.

8 & 9 Vic.
c. 193.
1845.

Justices to
summon the
Clerk of
Guardians to
attend the
meeting, and
produce Rate
Book :

Questions as
to qualifica-
tion to be de-
termined by
Justices, ac-
cording to
Rate Book.

“8. And be it enacted, That if any Clerk of any Union shall refuse or neglect to attend, or to appoint some Person to attend on his Behalf as aforesaid, with the said Book or Books of Rate or Valuation, any such Meeting as he shall be so required to do by the said Notice, being either served on him personally or left for him at the Workhouse of the Union wherein such Parish or Portion of a Parish is situate, he, on being convicted thereof before any Two or more Justices of the Peace of the County or the County of the City of *Dublin*, on the Oath or Affirmation of any Person who shall sue for the same, shall forfeit and pay any Sum not exceeding Twenty Pounds; to be levied and recovered with Costs in a Summary Way, by the Order and Adjudication of such Justices; and in default of Payment of any such Penalty or Forfeiture, shall be levied by Distress or Sale of the Goods and Chattels of such Clerk, by Warrant under the Hands and Seals of any Two Justices of the said County or City: one Half of such Penalty or Forfeiture to be paid to the Person who shall sue for the same, and the other Half, after deducting the Expenses of so suing, to be ascertained by such Justices, to be paid over to the Treasurer of the Corporation of the Borough of the City of *Dublin*, and to be by him brought to the Credit of the Pipe-Water Fund.”

Penalty on
Clerk of
Union for
neglecting to
attend, or to
appoint some
person to
attend :

Summary
recovery of
penalty.

The Justices are to preside at the Meeting, which is to determine whether powers for supply of Pipe-Water by the Corporation shall be adopted and acted upon (§ 9): and in case of the Meeting deciding to adopt the provisions of the act, the mode of proceeding is prescribed (§ 11, 12, &c.): water may be supplied to Occupiers, and Rates for the same be levied by the Corporation (§ 26).

8 & 9 Vic.
c. 193.

Water Rates
according to
Poor-Rate
Valuation;
to be paid by
Owner or Oc-
cupier re-
questing sup-
ply.

7 & 8 VIC.
c. 106.
GRAND JURY
ACT,
Co. DUBLIN,
1844.

“27. And be it enacted, That such Water Rates shall be paid by the Owner or Occupier requesting the Supply of Water, and shall be payable according to the annual Value at which the Premises shall be assessed to the Poor's Rate under the Provisions of the aforesaid Act of Her present Majesty for the more Effectual Relief of the destitute Poor in Ireland; or, if not so rated, according to the net Value of the Premises.”

7 & 8 VICT. CAP. 106.

An Act to consolidate and amend the Laws for the Regulation of the Grand Jury Presentments in the County of Dublin.

[Passed, 9th August 1844.]

This act confers on Collectors and Magistrates of the County of Dublin powers precisely similar to those given in other Counties by the General Grand Jury Act*. It also contained the following provisions in reference to the Valuation; but these are now superseded by the provisions of the act for a general Tenement Valuation, which has been completed for the County and City of Dublin, under 15 & 16 Vic. c. 63: see p. 354, 385.

Apportion-
ment of
Baronial
Charges
according to
Poor Law
Valuation,
until Ge-
neral Valua-
tion under
6 & 7 W. 4,
c. 84, is
completed:

Clerks of
Unions in
Co. Dublin,
to furnish
certified Re-
turns of last
Valuation.

“§ 98. And whereas a Valuation of the County of Dublin is now in Progress, under the Provisions of an Act passed in the Sixth and Seventh Year of his late Majesty King William the Fourth, intituled *An Act to consolidate and amend the several Acts for the uniform Valuation of Lands and Tenements in Ireland*^b; but it is necessary to make Provision for the Apportionment of the County Charges upon each Barony and of the Baronial Charges upon each Parish in the said County, until the Period when such Valuation shall be completed; Be it enacted, That for the Purpose of enabling the Finance Committee to make such Apportionment, the Secretary of the Grand Jury shall obtain from the Clerks of the several Poor Law Unions, the Whole or any Portion of which may be situate within the County of Dublin, a Return of the Amount of the last Valuation made by the Guardians of each Union respectively, of every Parish and Townland within such Union, which is situate in the said County of Dublin, which Return the Clerk of every such Union is hereby required to make, and to certify under his Hand to be correct; and the Amount set forth in such Certificate as the Value of every Parish or Town-

* 6 & 7 Wm. 4, c. 116 (p. 308).

^b 6 & 7 Wm. 4, c. 84, since superseded by the General Tenement Valuation Act, 15 & 16 Vic. c. 63; see p. 351, 365, and note ^b in next page (p. 493).

land, shall be taken to be the Value of such Parish or Townland for the Applotment or Apportionment of the County Charges under this Act: Provided always, that nothing herein contained shall authorize or empower the Finance Committee to make or apportion the County Charges according to such Valuation, for any longer Period than until the Survey and Valuation under the said Act, or any Act to amend the same, shall be completed^a, and a Copy thereof inserted in the *Dublin Gazette*, as directed in said Acts; and that from and after the First Day of the Presenting Term next following such Publication^b, all County Cess Charges whatsoever, and all Grand Jury Charges or Rates imposed or to be imposed on the said County of Dublin by Presentments of the Grand Jury, or to be raised off such County, or any Barony, Parish, or Townland thereof, and all Parish Rates imposed or to be imposed, or levied or to be levied, under the Authority of any Act or Acts, shall be assessed and levied off such County, and off every Barony, Parish, or Townland therein, according to the Proportions specified in such Act; any Law, Usage, or Custom, or any former Assessment or Valuation, to the contrary in anywise notwithstanding."

7 & 8 Vic.
c. 106,
GRAND JURY
ACT,
Co. DUBLIN,
1844.

—
Poor Law
Valuation
not to be used
for Grand
Jury Cess
after Com-
pletion of
General
Valuation.

§ 100 enables the Finance Committee appointed by the Grand Jury to pay to the Clerk of each Union, such sum not exceeding forty shillings, as to such Finance Committee shall seem reasonable, for his trouble in preparing the Return of the Valuation above directed to be given to such Finance Committee.

Clerk of
Union to be
paid for the
Return of
the Valua-
tion re-
quired.

12 & 13 VICT. CAP. 85.

An Act to amend an Act for the Regulation of Municipal Corporations in *Ireland*, so far as relates to the Borough of *Dublin*.

[*Passed, 1st August 1849.*]

12 & 13 Vic.
c. 85,
DUBLIN
MUNICIPAL
AMENDMENT
ACT,
1849

EXTRACTS, &c., having reference to previous Provisions herein, and to Poor Law Rating.

"§ 1. WHEREAS an Act was passed in the Session of Parliament holden in the Third and Fourth Years of Her present Majesty's Reign, intituled *An Act for the Regulation of Municipal Corporations in Ireland*: And whereas another Act was passed in the Session of Parliament

3 & 4 Vic. c.
108 (p. 412).

^a See page 354, (2.)

^b See general Tenement Valuation Act of 1852 (15 & 16 Vic. c. 63, § 47, p. 385,) by which this provision is superseded from and after the completion of a Tenement Valuation for the County under that act: such valuation was it appears from the return referred to in p 353-4, completed for the County of Dublin in May 1853, and for the County of the City in January 1855.

12 & 13 Vic.
c. 85,
DUBLIN
MUNICIPAL
AMENDMENT
ACT,
1849.

holden in the Sixth and Seventh Years of Her present Majesty's Reign^a, for the Amendment of the said first-recited Act^a: And whereas it is expedient to alter the Qualification of Burgesses of the Borough of *Dublin* under the said first-recited Act, and to assimilate the same to the Qualification of Burgesses of Boroughs in *England* and *Scotland*, and for such Purpose, and for other Purposes herein-after mentioned, to amend the Provisions of the said first-recited Act, as far only as regards the said Borough of *Dublin*: Be it therefore enacted by the Queen's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Expiration of the present Year^b, as far as regards the said Borough of *Dublin*, the Provisions in the said first-recited Act contained relating to the Qualification of Burgesses^c shall be and the same are hereby repealed, except as to any Burgess Roll theretofore formed or Election made under the Provisions of the said Act for or relating to the said Borough.

Repeal of
Provisions of
3 & 4 Vic.
c. 108, as to
Qualification
of Burgesses
of Dublin.

After 1849,
none but
Burgesses
qualified
under this
Act to be
enrolled for
Dublin.

"2. And be it enacted, That from and after the Expiration of the present Year^b, no Person shall be enrolled a Burgess of the said Borough of *Dublin* for the Purpose of enjoying the Rights conferred for the first Time by the said recited Acts, or either of them, or this Act, in respect of any Title, other than by Occupancy and Payment of Rates within such Borough according to the Meaning and Provisions of this Act.

Qualification
of Burgesses
in Borough
of Dublin,
after 1849:

"3. And be it enacted, That from and after the Expiration of the present Year^b, in the Borough of *Dublin*, every Male Person of full Age who on the last day of August in any Year shall have occupied any House, Warehouse, Counting-house or Shop within such Borough of *Dublin* during that Year and the whole of each of the Two preceding Years, and also during the Time of such Occupation shall have been an inhabitant Householder within the said Borough or within Seven Statute Miles of the said Borough of *Dublin*, shall if duly enrolled in that Year according to the Provisions of the said recited Acts, be a Burgess of such Borough and Member of the Body Corporate of the Mayor, Aldermen, and Burgesses of such Borough: Provided always, that no such Person shall be so enrolled in any Year from and after the present Year^b unless he shall have been rated in respect of such Premises so occupied by him within the said Borough to all Rates made for the Relief of the Poor of the Electoral Division or Union wherein such Premises are situated during the Time of his Occupation as aforesaid, and unless he shall have paid on or before the last Day of August as aforesaid all such of the Rates, Cesses, and

Provisos:
only persons
rated in Poor
Rate to be
Burgesses;

and who
have paid
Rates, &c.

^a 3 & 4 Vic. c. 108 and 6 & 7 Vic. c. 93, (p. 412, 444).

^b The act was passed in 1849. ^c 3 & 4 Vic. c. 108, § 30 (p. 414), &c.

Taxes specified in the Schedule to this Act annexed^a as shall have become payable by him (if any) in respect of the said Premises, except such as shall become payable within Six Calendar Months next before the said last Day of August: Provided also, that the Premises in respect of the Occupation of which any Person shall have been so rated need not be the same Premises or in the same Parish, but may be different Premises in the same Parish or in different Parishes: Provided also, that any Person who shall be enrolled as a Burgess upon the Burgess Roll of the said Borough of *Dublin* at the Time of the passing of this Act, shall, for the Purposes of this Act, without further Proof, be deemed to have been duly rated to the Relief of the Poor in respect of Premises within such Borough for the Space of Twelve Calendar Months next preceding the last Day of August in the Year One thousand eight hundred and forty-eight, and to have duly paid all such Rates, and to have been otherwise duly qualified and entitled under the Provisions of the said first-recited Act to be enrolled as a Burgess at the Time of the last Revision of such Burgess Roll preceding the passing of this Act: Provided also, that no Person being an Alien shall be so enrolled, or vote in any Year; and that no Person shall be so enrolled or vote in any Year who within Twelve Calendar Months next before the said last Day of August shall have received Relief under the Acts for the more effectual Relief of the destitute Poor in Ireland^b, or any Pension or charitable Allowance from any Fund intrusted to the Charitable Trustees of such Borough: Provided also, that in every Case provided in this Act, the Distance of Seven Statute Miles shall be computed by the nearest public Road or Way by Land or Water.

12 & 13 Vic.
c. 85,
DUBLIN
MUNICIPAL
AMENDMENT
ACT,
1849.

Aliens and
Paupers, &c.
not to be
enrolled as
Burgesses:

“4. And be it enacted, That no Medical or Surgical Assistance given by the Charitable Trustees of the said Borough shall be taken to be such charitable Allowance as shall disqualify any Person from being enrolled a Burgess; nor shall any Person be so disqualified by reason that any Child of such Person shall have been admitted and taught within any public or endowed School.

but Charitable Medical Assistance, or Admission of Children into Schools, not to disqualify.

“5. And be it enacted, That in the said Borough it shall be lawful for any Person occupying any House, Warehouse, Counting-house, or Shop, to claim to be rated to the Relief of the Poor in respect of such Premises, whether the Landlord shall or shall not be liable to be rated to the relief of the Poor in respect thereof; and upon such Occupier so claiming, and actually paying or tendering to the Collector thereof, or to the Person or Persons entitled to receive the same, the full Amount of the last made Rate then payable in respect of such Premises, the Guardians or other Persons charged with making any

Occupiers of Houses, &c. may claim to be rated, whether Landlord rateable or not:

on Payment or Tendering of Rate, such Occupier to be entered in Rate;

^a Page 499; and see 13 & 14 Vic. c. 81 (p. 500).

^b “Relief:” see note ^c in p. 416.

12 & 13 Vic.
c. 85,
DUBLIN
MUNICIPAL
AMENDMENT
ACT,
1849.

or in default
of entry, to
be deemed
to be rated.

Proviso;
Landlord's
liability for
Rate not
discharged.

Misnomer,
&c. in Rate
Book not to
invalidate
Right to be
enrolled.

In case of
Title by De-
scendant, &c.
how Occupa-

Rate for the Relief of the destitute Poor which shall or ought to include such Premises, are hereby required to put the Name of such Occupier upon the Rate for the Time being; and in case any such Guardians or other Persons shall neglect or refuse so to do, such Occupier shall nevertheless, for the Purposes of the said recited Acts and this Act, be deemed to have been rated to the Relief of the Poor in respect of such Premises, from the Period at which the rate shall have been made in respect of which he shall have so claimed to be rated as aforesaid: Provided always, that where by virtue of any Act of Parliament the Landlord shall be liable to the Payment of the Rate for the Relief of the Poor in respect of any Premises occupied by his Tenants, nothing herein contained shall be deemed to vary or discharge the Liability of such Landlord, but, in case the Tenant who shall have been rated for such Premises in consequence of any such Claim as aforesaid shall make default in the Payment of the Poor's Rate payable in respect thereof, such Landlord shall be and remain liable for the Payment thereof in the same Manner as if he alone had been rated in respect of the Premises so occupied by his Tenant.

“6. And in order to provide against any Person being prevented from being enrolled as a Burgess by reason of any Misnomer or inaccurate or insufficient Description in a Rate of the Person occupying any such Premises as herein-before mentioned, or by reason of any inaccurate Description of the Premises so occupied, be it therefore declared and enacted, That where any Person shall have occupied such Premises as in this Act are mentioned for the Time herein-before mentioned next previous to the last Day of August in any Year, being the Person liable to be rated for such Premises, shall have been *bonâ fide* called upon in respect to such Premises to pay, and shall have *bonâ fide* paid on or before the last Day of August in such Year, all Rates for the Relief of the Poor made in respect of such Premises which he would be required to pay in order to be enrolled as a Burgess for the Borough of *Dublin* if he had been named in such Rate as the Occupier of such Premises, such Person shall be considered as having been rated to the Relief of the Poor and paid all such Rates in respect of such Premises within the Meaning of the said recited Act and this Act, and be entitled, if otherwise qualified, to be enrolled as a Burgess of the said Borough in respect of such Premises in any Year, any Misnomer or insufficient Description in any Rate of the Person so occupying, or of the Premises occupied, notwithstanding.

“7. And be it enacted, That where any House, Warehouse, Counting-house, or Shop in the said Borough shall come to any Person by Descent, Marriage, Marriage

* See Irish Poor Relief Acts, 6 & 7 Vic. c. 92, § 1, and § 10 of 12 & 13 Vic. c. 104; also § 72 of 1 & 2 Vic. c. 56, and § 5 of 6 & 7 Vic. c. 92.

Settlement, Devise, or Promotion to any Benefice or Office, such Person shall be entitled to reckon the Occupancy and Rating in respect of the Occupancy thereof by the Person from or by whom such House, Warehouse, Counting-house, or Shop shall have so come to him as his own Occupancy and Rating conjointly with the Time during which he shall have since occupied and been rated for the same, and shall be entitled to be enrolled a Burgess in respect of such successive Occupancy and Rating, provided he shall be otherwise qualified as herein provided.”

12 & 13 Vic.
c. 85,
DUBLIN
MUNICIPAL
AMENDMENT
ACT,
1849.

tion is to be
reckoned.

The act goes on to declare, in § 8, that the then present division of the Borough of Dublin into Wards having been found to be unequal and unsatisfactory, it should cease and determine from and after the 1st of January, 1850: and § 9 makes provision for the purpose of dividing the Borough anew into Fifteen Wards under the direction of the Lord Lieutenant, who was empowered to appoint two persons (one being a Barrister of six years standing) for that purpose: “and in making such Division, and determining the Extent and Limits and Boundary Lines of each such Ward, the said Persons so appointed shall have regard as well to the Number of Persons rated to the Relief of the Poor in such Ward as to the aggregate Amount of the Sums at which all the said Persons shall be so rated.” Provision is then made for the publication of such new division, when approved by the Lord Lieutenant and Privy Council of Ireland.

The new Wards formed accordingly since the passing of this Act have been adopted by an order of the Poor Law Commissioners, dated 13th February, 1850, as Wards for Poor Law purposes, under § 2 of 2 Vic. c. 1 (p. 99) in place of the old Wards into which the City Electoral Divisions of North and South Dublin Unions respectively were previously divided.

§ 10 enacts, “That on or before the Eighth Day of September in the Year One thousand eight hundred and fifty, and every succeeding Year, the Town Clerk of the said Borough of *Dublin* shall, in a Book or Books to be by him provided for that Purpose, enter the Names of all Persons who shall appear to be entitled to be enrolled as Burgesses of such Borough in the Burgess Roll then next to be made, in right of Occupancy and Payment of Rates within such Borough, according to the Meaning and Provisions of this Act, with the Premises in respect whereof they may be so entitled, in the Manner and sub-

Town Clerk
to prepare
annually a
Book contain-
ing the
Names of
Persons en-
titled to be
enrolled as
Burgesses in
Borough of
Dublin.

12 & 13 Vic.
c. 85,
DUBLIN
MUNICIPAL
AMENDMENT
ACT,
1849.

ject to the Provisions in the said secondly-recited Act contained relating to the Book or Books thereby directed to be prepared by the Town Clerk^a; and the several Provisions of the said secondly-recited Act as to the Proceedings to be taken as to such Book or Books, and the Attendance of Collectors of Rates, Cesses, or Taxes, or of other Officers relating thereto, and as to any Penalties for Non-attendance, and as to the Notices to be given concerning such Book or Books, and as to Inspection thereof, or Copies or Extracts therefrom, or other Matters relating thereto, shall extend and apply for the Purposes of this Act, save and except so far as the said Provisions may relate to any Rates, Cesses, or Taxes not included in the Schedule to this Act annexed^b, or the Collectors thereof, which last-mentioned Collectors shall not be required to attend for the Purposes of preparing such Book or Books.

Town Clerk
to make out
Lists annu-
ally of per-
sons qualified
as Burgesses
in Borough
of Dublin.

“11. And be it enacted, That on or before the Twentieth Day of September in the Year One thousand eight hundred and fifty, and every succeeding Year, in the said Borough of *Dublin*, the Town Clerk of such Borough shall make out, from the Assessment to be made of Hereditaments within such Borough under the Acts for the more effectual Relief of the destitute Poor in Ireland, alphabetical Lists, according to the Form No. 1, in the Schedule (D.) to the said first-recited Act annexed^c, or to the like Effect, of all Persons, with their respective Residences, who shall be entitled to be enrolled in the Burgess Roll of that Year for the said Borough, according to the Provisions of this Act, in respect of Property within each Ward of such Borough, excluding nevertheless from such Lists the Name of every Person who shall not appear by the Entries made in the Book or Books hereinbefore mentioned to have paid all Rates, Cesses, or Taxes by this Act required to be paid in order to qualify such Person to be or to be enrolled as a Burgess of such Borough, and shall sign such Lists, and shall on the said Twentieth Day of September in the Year One thousand eight hundred and fifty, and every succeeding Year, deliver a true Copy of such Lists, signed by himself, to the Lord Mayor of such Borough, and shall himself keep such original Lists, to be perused by any Person, without Payment of any Fee, at all reasonable Hours between the Twentieth and the Thirtieth Days of September in every such Year.

Provisions of
recited Acts
to apply to
the Forma-
tion of the
Burgess Roll
for Dublin;

“12. And be it enacted, That the Provisions of the said recited Acts or either of them relating to the Lists of Persons qualified as Burgesses, and to Claims and Objections relating to the same, and the Revision of such Lists and the Enrolment of Burgesses, and the Formation of the Burgess Roll, and the several Proceedings, Matters,

^a 6 & 7 Vic. c. 93, § 2 (p. 445).

^b p. 499.

^c 3 & 4 Vic. c. 108, Schedule (D), No. 1 (p. 439).

and Things relating to the same respectively, so far as the same are applicable, and subject to the Variations made by this Act, shall be extended and applied to the Lists of Persons qualified as Burgesses of the said Borough of *Dublin* under this Act, and the Qualification hereby provided, and the Revision of such Lists, and the Enrolment of Burgesses, and the Formation of the Burgess Roll, and the several Proceedings, Matters, and Things relating to the same respectively under the said Act and this Act; and the Provisions of the said first-recited Act relating to the providing for or defraying the Expenses of putting the said first-recited Act into execution shall, in like Manner, be applied to the providing for or defraying the Expenses of putting this Act into execution in the said Borough of *Dublin*.

12 & 13 Vic.
c. 85,
DUBLIN
MUNICIPAL
AMENDMENT
ACT,
1849.

also Provi-
sions for
defraying
Expenses of
execution of
this Act.

“13. Provided always, and be it enacted, That the Court for the first Revision of such Lists under this Act, of Persons entitled to be Burgesses shall be a like Court, and appointed in the like Manner, with the like Powers, and subject to the like Regulations, as the Court by the said first-recited Act provided for the Revision of the like Lists under the said Act in the first Year in which the said first-recited Act came into operation in the said Borough of *Dublin*.”

Court for
first Revi-
sion of Lists.

The act then contains provisions “for the purpose of having an entirely new Election of Aldermen and Councillors of the Borough of *Dublin*,” after the 25th of November, 1850, and other municipal purposes: and § 21 declares that liability to Borough Rate is not to be a ground of objection to any Juror, Grand Juror, or Sheriff; and that “no Justice of the Peace shall be dis-
abled to act in the Execution of the said recited Acts or this Act, or in the Execution of any other Act, by reason of his being liable to the Rate contributing to the Borough Fund of the said Borough.”

Justices’
Powers and
Qualifica-
tions.

“SCHEDULE to which the foregoing Act refers*.

Rates, Cesses, or Taxes^b.

1. For Paving and Lighting.
2. For Watering the Streets.
3. Wide-street Tax, or any Rate for widening or improving the Streets, or any Improvement Rate that may by any Act or Acts be substituted for the three Taxes or Rates herein-before mentioned or any of them.
4. Grand Jury Cess, or any Cess, Applotment, or Rate raised or levied for fiscal Purposes of a like Nature within the Borough of *Dublin*.
5. Police Tax or Rate.
6. Borough Rate.
7. Poor Rates^b.”

* § 3 (p. 494–5), § 10 (p. 498).

^b See 13 & 14 Vic. c. 81 (p. 500), in reference to time at which these rates and taxes become due and payable.

500 *Dublin Municipal Corporation Amendment Act.* [PART I. 3.]

DUBLIN
MUNICIPAL
AMENDMENT
ACT,
1850.

13 & 14 VICT. CAP. 81.

13 & 14 Vic.
c. 81.

An Act to explain an Act of the last Session for amending
an Act for the Regulation of Municipal Corporations
in *Ireland*, so far as relates to the Borough of *Dublin*.

[*Passed, 14th August 1850.*]

3 & 4 Vic.
c. 108.

12 & 13 Vic.
c. 85.

Notice as to
time at
which Rates
and Taxes
become pay-
able under
Municipal
Acts:

Not to extend
to Rates and
Taxes in
Dublin, spe-
cified in
Schedule to
12 & 13 Vic.
c. 85.

§ 1. WHEREAS an Act was passed in the Session of Parliament holden in the Third and Fourth Years of Her present Majesty's Reign, intituled *An Act for the Regulation of Municipal Corporations in Ireland*^a: And whereas by an Act of the last Session of Parliament, intituled, *An Act to amend an Act for the Regulation of Municipal Corporations in Ireland so far as relates to the Borough of Dublin*, it is amongst other things provided^b, that from and after the Expiration of the then present Year^c, as far as regards the Borough of *Dublin*, the Provisions in the said first-recited Act contained relating to the Qualification of Burgesses should be repealed, and that no Person should be enrolled as a Burgess of the said Borough of *Dublin* in respect of any Title other than by Occupancy and Payment of Rates within such Borough, according to the Meaning and Provisions of the said Act of the last Session: And whereas by the said first-recited Act it was amongst other things enacted^d, in regard to certain of the Cesses, Rates, and Taxes, therein mentioned, that such Cess, Rate, or Tax, should not, for the Purposes aforesaid of the said Act, be deemed to have become payable until after the Completion of the Publication of a certain Notice therein mentioned, and not before^d: And whereas it is expedient to remove any Doubt whether such Enactment of the said first-recited Act as to any such Notice as aforesaid, or the Publication thereof, extends or applies to any Rates, Cesses, or Taxes, specified in the Schedule annexed to the said secondly-recited Act^e: Be it therefore declared and enacted, by, &c.. That the said recited Enactment of the said first-recited Act^d, as to any such Notice as aforesaid, or the Publication thereof, shall be deemed and construed not to extend or apply and not to have extended or applied, and the same shall not extend or apply to any of the Rates, Cesses, or Taxes specified in the Schedule annexed to the said secondly-recited Act^e.

2. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

^a 3 & 4 Vic. c. 108 (p. 412).

^b 12 & 13 Vic. c. 85, § 1, 2 (p. 494).

^c 1849, the year in which the act referred to was passed.

^d § 31 of 3 & 4 Vic. c. 108 (p. 416).

^e 12 & 13 Vic. c. 85: Schedule in p. 499.

12 & 13 VICT, CAP. 91.

12 & 13 Vic.
c. 91,
DUBLIN
RATES COL-
LECTION ACT,
1849.An Act to provide for the Collection of Rates in the
City of *Dublin*.

[Passed, 1st August 1849.]

This act took effect from the 5th of September, 1850, (§ 90). It provided for the establishment of an Office for the Collection of certain public rates or taxes in the City of Dublin; and the rates and taxes to which it applies are the Poor Rate, the Police rate or tax, Borough Improvement, and District Sewer Rates respectively, the Pipe-Water Rate or Rent, and the Grand Jury Cess of the City of Dublin. The District to which the act applies is described in section 29, by which it is declared that—

Rates and Taxes to which the act applies.

District of the act.

(§ 29), “the Limits of this Act for the Collection of the Poor Rates, Borough Rates, Improvement Rates, Sewer Rates, Grand Jury Cess, and Pipe-Water Rates or Rents, shall be the Municipal District of *Dublin*, as defined by an Act passed in the Third Year of the Reign of Her present Majesty intituled *An Act for the Regulation of the Municipal Corporations in Ireland*; and the Limits of this Act for the Collection of the Police Rates shall be the District of *Dublin* Metropolis, as defined or authorized to be defined by an Act of the Sixth and Seventh Years of the Reign of King William the Fourth, intituled *An Act for improving the Police in the District of Dublin Metropolis*, and any other Act amending the same.”

3 & 4 Vic.
c. 108.]

6 & 7 W. 4,
c. 29.

For the collection of the Poor Rates, this act will apply to those parts of the Unions of North and South Dublin, in which the municipal district is comprised; and for the collection of the Police Rates it will apply to those parts of the Rathdown Union, in which the portions of the district of the Metropolitan Police, consisting of Kingstown and Blackrock and their neighbourhood, are comprised.

The Lord Lieutenant is empowered to appoint a person as Collector General of Rates under the present act, who may be removed, and another person may be appointed in like manner, from time to time. He is “to applot, collect, levy, and receive the Rates, Cesses, and Taxes, herein mentioned, and all arrears thereof, in manner by this Act provided” (§ 2). The Collector General (with the approval of the Lord Lieutenant), may appoint a substitute to act for him during sickness or necessary absence: (sec. 2). And the Lord Lieutenant and Privy

Appoint-
ment of
Collector-
General,

12 & 13 Vic.
c. 91.
DUBLIN
RATES COL-
LECTION ACT,
1849.

Lord Lieuten-
ant in Coun-
cil to make
Rules and
Regulations
for the Col-
lector-Gen-
eral's Office.

Council may make such Rules and Regulations as they shall think fit for the government of the Collector General, and of such Clerks, Collectors, and other Officers as may be appointed and employed to assist in the execution of this act, provided that such Rules and Regulations be not repugnant to this or any other act in force in Ireland (sec. 7). The Collector General is not to follow any other occupation, but is to give his entire time to the duties of the office, and is to give security to such amount as the Lord Lieutenant may require: his salary is not to exceed £800 a-year payable out of the monies collected and received by him (sec. 8). The Lord Lieutenant, or the Collector General with the consent of the Lord Lieutenant, is to provide out of the sums collected, an office or offices, for the receipt of rates and taxes in Dublin (sec. 25). And the act provides for the employment of Officers under the Collector General, as follows:—

Lord Lieuten-
ant may
retain or ap-
point Collec-
tors and
other Offi-
cers, and
remove them
from Time to
Time, and fix
their Remu-
neration:

“§ 12. And be it enacted, That the Lord Lieutenant may retain for the Purposes of this Act, such Clerks, Collectors, and other Officers employed by the said Bodies Politic or Corporate, Boards, Commissioners, or Persons, at the Commencement of this Act, as he shall think fit; and from Time to Time appoint and employ such Clerks, Collectors, and all such other Officers, to assist in the Execution of this Act, as he shall think necessary and proper, and from Time to Time remove any such Officers, and appoint others in the Room of such as shall be so removed, or may die, or resign or discontinue their Offices; and shall, out of the Monies to be collected and levied under the Provisions of this Act, direct such Salaries and Allowances to be paid to the said Officers respectively as he shall think reasonable: Provided always, that no Clerk, Collector, or other Officer employed in the Police Department of the District of *Dublin* Metropolis, and whose Office shall be abolished or rendered unnecessary by the passing of this Act, shall be so retained or employed without his Consent^b; and provided also, that before any

^a Namely, the bodies empowered to make and levy rates in Dublin before the passing of the present statute, whose functions in that behalf are transferred to the Collector-General under this act. The description of these bodies includes the respective Boards of Guardians of the North and South Dublin Unions, who had previously made and levied Poor Rates in the City of Dublin.

^b § 57-59 contain provisions relating to the Compensation of Officers holding offices that may be abolished, where they are entitled to compensation; but no officer appointed between the passing of this act and the time of its coming into operation (i.e. between 1st August 1849 and 5th September 1850), was entitled to compensation.

such Officer is so retained or appointed, the Collector General shall certify under his Hand to the Lord Lieutenant the Fitness of such Person to discharge the Duties of his Office; and that any Collector appointed and employed under the Provisions herein contained shall be paid by such Poundage Rate upon the Sums collected by him under the Provisions of this Act, or by such Salary, as the Lord Lieutenant shall think fit.

12 & 13 Vic.
c. 91.

Fitness of
Officers to be
certified by
Collector
General.

"13. And be it enacted, That before any Person, whether Collector or other Officer, intrusted by the Collector General with the Custody or Control of Monies by virtue of his Office, shall enter upon such Office, the Collector General shall take sufficient Security, subject to the Approval of the Lord Lieutenant, from him, for the faithful Execution thereof."

Security to
be taken
from Officers
intrusted
with Money.

The following are provisions of the act, so far as they relate to the Poor Rate, or are within the scope of this work:—

§ 1 enacts "That from and after the Tenth Day of December One thousand eight hundred and fifty, the several Powers, Duties, and Authorities of applotting, levying and collecting the Rates, Cesses, Taxes, and Rents specified in Schedule (A) to this Act annexed^a, shall cease to be exercised by the Bodies Politic or Corporate, Boards, Commissioners, or Persons, empowered by any Act or Acts to applot, levy, and collect the same, but shall be vested in and exercised by the Collector General of Rates hereinafter mentioned, and shall be performed in the Manner by this Act directed^b, and not otherwise; anything in such Acts or any of them, or any Law, Statute, or Usage, to the contrary, in anywise, notwithstanding."

Powers of
applotting
and collect-
ing Rates in
Dublin
transferred
to Collector-
General of
Rates under
this act.

"9. And be it enacted, That the said Collector General shall open an Account in the said Bank of Ireland, to be entitled 'The Account of the Collector General of Rates in the City of Dublin,' naming the Collector General for the Time being therein; and shall be governed, as to the Manner in which such Accounts shall be kept, prepared, and exhibited for Audit, and in every other respect, where the same are not inconsistent with the Provisions of this Act, by such Rules and Regulations as shall be issued in that respect from Time to Time by the Lord Lieutenant with the Advice of the Privy Council aforesaid: and, in case the said Lord Lieutenant shall so direct, such Accounts shall be audited by the Officer who shall be from Time to Time by Warrant authorized by the said Lord Lieutenant to audit and declare the Accounts of the several Treasurers of Counties and Counties of Cities and Towns, under and by virtue of the Provisions of an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to provide more effectual*

Collector
General to
open an
Account in
the Bank of
Ireland.

Audit.

7 W. 4 &
1 Vic. c. 54.

^a Page 521.

^b § 32-34 (p. 508-9); § 44, 53, 70, &c.

12 & 13 VIC.
c. 91,
DUBLIN
RATES COL-
LECTION ACT,
1849.

Bank of Ire-
land to keep
a separate
Account for
each Tax, &c.

Copies of
Accounts to
be furnished.

Proviso.

Drafts on
Bank of
Ireland by
the respec-
tive Boards,
&c.

Collectors
to pay over
Money into
the Bank of
Ireland
weekly:

and to render
Accounts as
the Collector
General may
direct.

Collector

Means to make Treasurers of Counties and Counties of Cities in Ireland account for public Monies, and to secure the same, or of any Act or Acts amending the same.

“10. And be it enacted, that the said Governor and Company of the Bank of Ireland shall and they are hereby required to open and keep an Account for each of the Bodies Politic or Corporate, Boards, Commissioners, or Persons herein-after mentioned, in the Name of such Treasurer, Receiver, or Officer as such Bodies Politic or Corporate, Boards, Commissioners, or Persons shall respectively direct; and shall at all Times give to the said Collector General, or to such Bodies Politic or Corporate, Boards, Commissioners, or Persons, or to any Person so appointed to inspect and audit such Accounts, Copies of every such Account, as well as the Account of the said Collector General: Provided always, that the opening of any such Account as aforesaid shall not authorize or empower the said Governor and Company of the Bank of Ireland to pay out to any such Bodies Politic or Corporate, Boards, Commissioners, or Persons, or to the said Collector General, any Sums of Money lodged with them, without the proper Voucher or Authority which they are now or may hereafter be by Law directed to require.

“11. And be it enacted, That any Draft or Order for Money, drawn upon the said Governor and Company of said Bank of Ireland, for the Purposes of the Bodies Politic or Corporate, Boards, Commissioners, or Persons, for whom any Rates shall be collected under the Provisions of this Act, shall be signed by such Treasurer, Receiver, or Officer, or in such Manner as such Bodies Politic or Corporate, Boards, Commissioners, or Persons, shall direct; and such Drafts and Orders so drawn, but not otherwise, shall be a sufficient Authority to said Governor and Company of the Bank of Ireland to pay the Amount thereof to the Person named therein.”

“14. And be it enacted, That every Collector appointed or employed by virtue of this Act to collect any Rates, shall pay over the same to the Governor and Company of the Bank of Ireland on the Day or Days in each Week appointed by the Collector General for such Purpose, to be placed to the Account of the Collector General of Rates in the City of Dublin herein-after mentioned; and the Receipt of such Governor and Company for the Monies so paid shall be a sufficient Discharge to the Collector; and every such Collector shall, in such Time and in such Manner as the Collector General shall direct, deliver to him true and perfect Accounts in Writing under his Hand of all Monies received by him, and of all Monies paid by him to the said Governor and Company of the Bank of Ireland, by virtue of this Act; and also a List of the Names of all Persons who have neglected or refused to pay any Rate or Money owing by them, with a Statement of the Monies due from them respectively.

“15. And be it enacted, That such Collector General,

or such other Person as may be appointed by him for such Purpose, shall, once or oftener in each Week, audit and examine the Accounts of each Collector; and shall thereupon lodge with the said Governor and Company of the Bank of Ireland a Certificate stating the Amount of Money lodged by each Collector or other Person on his Behalf in the preceding Week, and the Proportions and Shares in which the same is to be allocated and credited by the said Governor and Company to the Use and Account of each of the said Bodies Politic or Corporate, Boards, Commissioners, or Persons, for whom an Account shall be opened as herein directed.

12 & 13 Vic.
c. 91.

General to examine Collectors' Accounts weekly or oftener: and furnish Certificate to Bank for allocation of the Amounts lodged.

“16. And be it enacted, That the Collector General shall, at all reasonable Times, permit the Bodies Politic or Corporate, Boards, Commissioners, or Persons, for whom any Rates shall be collected by the said Collector General, or any Persons authorized on their Behalf, to inspect the Books of Account in his Office relating to the Rates or Taxes collected by him, and to take Extracts therefrom, without paying anything for the same.

Books of Collector General to be open to Inspection of Boards, &c.

“17. And be it enacted, That if the said Collector General, or any Officer or other Person employed under the Provisions of this Act, shall exact or accept, on account of anything done by virtue of his Office, or in relation to the Matters to be done under this Act, any Fee or Reward whatsoever, other than the Salary or Allowances payable to him or them under the Provisions of this Act, or shall be in anywise concerned or interested in any Bargain or Contract made by virtue of this Act, such Collector General, Officer, or Collector shall be incapable of being afterwards employed under this Act, and shall also forfeit a Sum equal to Treble the Amount of any Fee, Reward, or Benefit so received by him, or shall forfeit the Sum of One Hundred Pounds, whichever shall be sued for by any Person, by Action of Debt or on the Case, in any of the Superior Courts, and such Person suing for the same shall on Recovery thereof be entitled to full Costs of Suit.

Collector General or Officers taking Fees other than those allowed, to lose Office, and liable to Penalty.

“18. And be it enacted, That no Servant or Person in the private Service or Employment of the said Collector General or other Officers shall be capable of being employed or concerned in, or of receiving any Salary or Allowance, Fee or Reward, for or on account of any Matter or Thing to be done under or in pursuance of this Act; and such Collector General or other Officer who shall so employ any such Servant or Person, and pay to him any Salary, Allowance, Fee, or Reward, for the Purposes aforesaid, shall for every such Offence forfeit the Sum of One Hundred Pounds, to be sued for and recovered in like Manner as herein last before mentioned, and shall also be incapable of being employed under this Act.

No Person in Collector General's private service to be employed under this act; under Penalty.

“19. And be it enacted, That if any Collector or other Officer fail to render such Accounts as aforesaid, or to produce and deliver up all the Vouchers and Receipts re-

Summary Remedy against Offi-

12 & 13 VIC.
c. 91,
DUBLIN
RATES COL-
LECTION ACT,
1849.

—
cers failing
to account.

lating to the same in his Possession or Power, or to pay the Balance thereof, if any, when thereunto required, or if for Five Days after being thereunto required he fail to deliver up to the Collector General, or to any Person appointed by him to receive the same, all Papers and Writings, Property, Effects, Matters, and Things, in his Possession or Power, relating to the Execution of this Act, or belonging to the Collector General, then, on Complaint thereof being made to a Justice, such Justice shall summon such Officer to appear before him, at a Time and Place to be set forth in such Summons, to answer such Charge; and upon the Appearance of such Officer, or upon Proof that such Summons was personally served upon him or left at his last known Place of Abode, such Justice may hear and determine the Matter in a summary Way, and may adjust and declare the Balance owing by such Officer; and if it appear, either upon Confession of such Officer, or upon Evidence, or upon Inspection of the Account, that any Monies of the Collector General are in the Hands of such Officer, or owing by him to the Collector General, such Justice may order such Officer to pay the same; and if he fail to pay the amount it shall be lawful for such Justice to grant a Warrant to levy the same by Distress and Sale, or in default thereof to commit the Offender to Gaol, there to remain without Bail for a Period not exceeding Three Months, unless the same be sooner paid.

Officers re-
fusing to
make out
Account, and
deliver up
Documents,
&c. may be
committed to
Prison.

“20. And be it enacted, That if any such Officer summoned as aforesaid refuse to make out such Account in Writing, or to produce and deliver to the Justice the several Vouchers and Receipts relating thereto, or to deliver up any Books, Papers, or Writings, Property, Effects, Matters, or Things, in his Possession or Power, belonging to the Collector General, such Justice may commit such Offender to Gaol, there to remain until he shall have delivered up all the Vouchers and Receipts in his Possession or Power relating to such Accounts, and all the Books, Papers, Writings, Property, Effects, Matters, and Things in his Possession or Power belonging to the Collector General.

Where Offi-
cer about to
abscond, a
Warrant may
be issued in
the first
instance.

“21. Provided always, and be it enacted, That if the Collector General, or other Person acting on behalf of the Collector General, shall make Oath that he has good Reason to believe, upon Grounds to be stated in his Deposition, and that he does believe, that it is the Intention of any such Officer as aforesaid to abscond, the Justice before whom the Complaint is made may, instead of issuing his Summons, issue his Warrant for bringing such Officer before him; but no Person executing such Warrant shall keep such Officer in Custody longer than Twenty four Hours, without bringing him before the said Justice; and such Justice may either discharge such Officer, if he think there is no sufficient Ground for his Detention, or order such Officer to be detained in Custody

so as to be brought before Two Justices at a Time and Place to be named in such Order, unless such Officer give Bail, to the Satisfaction of such Justice, for his Appearance before such Justice to answer the Complaint of the Collector General.

“22. And be it enacted, That no such Proceeding against or Dealing with any such Officer as aforesaid shall deprive the Collector General of any Remedy which he might otherwise have against any Surety of such Officer.

“23. And be it enacted, That if in any Court, either of Law or Equity, or any Action, Suit, Indictment, Information, or Proceeding whatsoever therein, any Question shall arise concerning the Right of the said Collector General, or Officer or Collector, to hold, exercise, or enjoy his said Office, it shall be sufficient to prove that such Collector General, or Officer or Collector, was at the Time in question commonly reputed to be such Collector General, Officer or Collector, respectively, without proving his Warrant or Commission, and without giving any Evidence that he had performed any of the Requisites which are or may be prescribed by Law to entitle him to execute the said Office.

“24. And be it enacted, That it shall not be lawful for any Collector General appointed by virtue of this Act, or for any Officer or Servant of the said Collector General employed for the Purposes of this Act, to be a Member of Parliament, or to vote or to take any Part or to act in any Manner at any Election of a Member or Members to serve in Parliament for the City of Dublin, otherwise than as he by Law may be required to do in his official Capacity; and in case any such Collector General shall take any Part or act in any Manner at any such Election, save as aforesaid, he shall forfeit and pay for every such Offence the Sum of Three Hundred Pounds; and in case any Officer or Servant of the said Collector General shall, save as aforesaid, take any Part at such Election, he shall forfeit and pay for every such Offence a Sum of One Hundred Pounds; which said several Penalties shall be paid to any Person who may sue for the same respectively, for his own Use and Benefit, and may be recovered by any such Person by Action of Debt, Bill, Plaint, or Information in any of Her Majesty's Superior Courts in Ireland.”

“26. And be it enacted, That the said Collector General shall once in every Week transmit to the proper Officer belonging to each of the Bodies Politic or Corporate, Boards, Commissioners, or Persons aforesaid, an Account showing the Amount of the Sums of Money which he shall have collected and received on account of such Bodies Politic or Corporate, Boards, Commissioners, or Persons respectively.

“27. And be it enacted, That the Expenses of the Management of the Office of the Collector General, including Salaries, Poundage, Rent of Office, Taxes, and all other incidental Expenses attending the same, shall

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Proceedings
against Offi-
cers not to
discharge
Sureties.

Evidence of
Appoint-
ment of
Officers in
any Suit or
Action.

Collector
General and
other Officers
prohibited
from taking
any Part in
Parliament-
ary Elec-
tions, under
Penalties.

Collector
General to
transmit
Weekly
Account of
Money col-
lected to
respective
Boards, &c.

Expenses of
Management
not to exceed
2½ per Cent.

12 & 13 Vic. not exceed Two Pounds and Ten Shillings *per Centum* upon the Total Amount of Monies collected by the said Collector General.

Expenses of Management, how payable.

“28. And be it enacted, That the Expenses incurred in applotting, collecting, levying, and recovering the said Rates, and of the Management of the Office of Collector General, together with the Rent of Offices, and all Taxes connected therewith, and other incidental Expenses, shall be paid by the said Bodies Politic or Corporate, Boards, Commissioners, or Persons respectively, in proportion to the Sums collected for them: and an Account of such Expenses shall every Three Months be transmitted to such Bodies Politic or Corporate, Boards, Commissioners, or Persons respectively, who shall forthwith pay the same to the Governor and Company of the Bank of Ireland, to be placed to the Credit of the said Collector General; and in case any of the said Bodies Politic or Corporate, Boards, Commissioners, or Persons, shall for the Period of Ten Days neglect or refuse to pay the Proportion of such Expenses as specified in the Account so transmitted to them respectively, the said Collector General shall and he is hereby authorized to deduct the Amount of such Accounts respectively out of any Monies standing to his Credit at the Bank of Ireland, and applicable to the Purposes of such of the said Bodies Politic or Corporate, Boards, Commissioners, or Persons making default as aforesaid.”

Section 88 also provides for the payment of the expenses of obtaining this Act of Parliament, out of the first monies coming to the hands of the Collector General under the act.

Sections 32 to 34, prescribe the mode of applotting and levying poor rates, as follows:—

Poor Rates. Boards of Guardians on or before 10th December in each Year, to estimate Expenditure for a Year from the 1st January following: and to transmit Estimate to Collector General.

“§ 32. And be it enacted, That the Board of Guardians in each Union or Part of a Union situate within the City of Dublin^a shall, on or before the Tenth Day of *December* One Thousand eight hundred and fifty, and on or before the Tenth Day of *December* in every succeeding Year, estimate and ascertain, as nearly as may be, the Amount of the Sums of Money chargeable upon any Electoral Division situate or comprised within the Districts aforesaid, which they shall find necessary for the Relief of the Poor under the Provisions of an Act passed in the First and Second Years of the Reign of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in Ireland*, or of any Act or Acts amending the same, for Twelve Months next following the First Day of *January* in each Year; and each such Board of Guardians

^a The City of Dublin is comprised within the North and South Dublin Unions.

shall certify such Estimate, and transmit the same, on or before the said Tenth Day of *December* One thousand eight hundred and fifty, and on or before the Tenth Day of *December* in every succeeding Year, to the Office of the said Collector General^a: and the said Collector General is hereby authorized and required to applot, collect, and levy the same in his own Name, upon all Lands and Houses liable to the Payment of the same, in the Manner and subject to the Rules and Conditions in this Act contained^b respecting the applotting, levying, collecting, and recovering of the several other Rates herein mentioned: Provided always, that every Rate for the Relief of the Poor, made and declared before the Tenth Day of *December* One thousand eight hundred and fifty, shall be collected, levied, and received as if this Act had not been passed.

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Collector
General to
applot and
collect same.

“33. And be it enacted, That on or before the said Tenth Day of *December* One thousand eight hundred and fifty, the said Guardians shall transmit to the said Collector General a true and particular Account of all Arrears of any such Rate then remaining due and uncollected, and shall certify the same to such Collector General, who shall thereupon be entitled, in his own Name, to receive, levy, and collect the said Arrears by all the Ways and Means given to him to collect any Rate under this Act: Provided always, that no Collector appointed to collect and receive such Rate as aforesaid shall be entitled or empowered to receive the same after the said Tenth Day of *December*; and such Collectors and their Sureties, notwithstanding any thing herein contained shall be and shall remain liable to make good any Default in such Collection which shall have occurred or been committed before the said Tenth Day of *December*.

On 10th
Dec. 1850 an
Account of
Arrears of
Poor Rate
then due to
be sent to
Collector
General;
who is to
collect same.

Liability of
present Col-
lectors.

“34. And be it enacted, That nothing in this Act contained shall interfere with or prevent the Board of Guardians in each Union as aforesaid from transmitting at any Time an Estimate, to the said Collector General, of any additional Sum which they may require for the Relief of the Poor under the Provisions of the said recited Act or Acts, specifying the Amount thereof, and the Occupiers of rateable Hereditaments or other Persons liable to pay the same: and such Collector General shall upon Receipt thereof proceed to collect and recover the same in Manner herein before mentioned in respect to the said annual Rate^c.”

Boards of
Guardians
may make
Estimates for
Rates at any
time;

to be collect-
ed by Collec-
tor General.

Sections 30 and 31 relate to Police Rate, and require that the Commissioners of the Dublin Metropolitan Police should, on or before the 10th of December in each year, estimate and ascertain, as nearly as may be, the amount

Police Rate.

^a These provisions do not preclude the levying at any time of any further rates required in addition to the annual rates here provided for: see § 34.

^b § 44 *et seq.*

^c Annual Rate, § 32.

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of money which they shall find necessary for the maintenance of the Police Force and for the purposes of the Police Acts, for twelve months next following the 1st of January in each year; and such estimate is to be transmitted on or before the 10th of December in each year, to the Collector General, who is to applot, levy, and collect the money therein mentioned; but the amount is not to exceed the amount which the Police Commissioners are already empowered to levy. The provisions regarding the Police Rate are similar, *mutatis mutandis*, to the preceding, respecting the Poor Rate, contained in sections 32 and 33.

*Pipe-Water
Rate:*

Sections 35 and 36 relate to the levying and collecting of the Pipe-Water Rent or Rate, which is to be levied and collected by the Collector General in like manner:

*Borough
Rate.*

Section 37 to the Borough Rate, which is also to be so levied and collected: Sections 38 and 39 relate to the Dub-

*Improve-
ment Rate.*

lin Improvement Rate, under 12 & 13 Vic. c. 97, § 115, 126

Sewers Rate.

(p. 525, 528): Section 40, to the Sewers Rate, also under

*Grand Jury
Cess.*

12 & 13 Vic. c. 97, § 113, 126 (p. 525, 528): and Sections 41-43, to the City Grand Jury Cess, to be assessed and collected in like manner. Under § 44, all these rates are to be assessed upon the basis of the Poor Law Valuation.

All Rates
under this
Act, to be
assessed and
levied ac-
cording to
the Poor
Law Valua-
tion:

“§ 44. And be it enacted, That from and after the Tenth Day of *December*, One thousand eight hundred and fifty, every Rate or Assessment to be at any Time assessed, levied, or collected under the Provisions of this Act, shall be assessed and levied upon all and every the Houses, Buildings, Lands, Tenements, and Hereditaments, or Persons, liable to be rated and assessed to the same, equably according to the net annual Value thereof respectively, as the same now are or shall from Time to Time be hereafter valued and rated under an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in Ireland*, or any Act or Acts amending the same^a: Provided always that nothing herein contained shall extend to or affect the Provisions made by any Act or Acts authorizing the making of any Rate which is to be collected under this Act, as to the Mode of rating and assessing Colleges^b, Schools, Literary and Scientific Societies^c, Market Houses, Halls, Theatres, Storehouses,

Proviso as
to excepted
Properties.

^a 1 & 2 Vic. c. 56; 6 & 7 Vic. c. 92; and 12 & 13 Vic. c. 104. And see as to Tenement Valuation Acts, p. 351.

^b See Dublin Improvement Act, 1849, 12 & 13 Vic. c. 97, § 117, 119 (p. 526-7.)

^c See 6 & 7 Vic. c. 36 (p. 327), and 15 & 16 Vic. c. 63, § 12 (p. 369).

Storeyards, Docks, Courts of Law, and other public Buildings used for public Purposes, or the Grounds or Tenements thereto respectively adjoining or therewith occupied and enjoyed.

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“45. And whereas certain Hereditaments by the herein-before recited Acts made chargeable for the Purposes of the said Acts respectively may not have been included in the Valuation made for the Purpose of Poor Rates; and it is expedient that any such Property should be valued in like Manner and upon the same Scale as that which is so rated: And whereas, in the Valuation made for the Purpose of Poor Rates, Dwelling Houses may be in certain Cases valued together with Property not comprehended in that Term, and a separate Valuation of such Dwelling Houses may be necessary for the Purpose of assessing the said Rates: Be it therefore enacted, That in all cases of Property which is or shall be liable to the Payment of any Rate or Assessment to be collected under the Provisions of this Act, and which shall not be included in the Rate for the Relief of the Poor in the Union wherein the same may be situate, and in the Case of Dwelling Houses valued together with other Property, the Guardians of the Poor of such Union shall make and declare or cause to be made and declared separate Valuations of all or any such Property and Dwelling Houses situate in any Ward or Townland or other Denomination proper for that Purpose within the Union, in like Manner, and subject to the like Direction of the Poor Law Commissioners for the Time being, as by Law required and directed with respect to Hereditaments rated as afore-said; and every such separate Valuation of Property not liable to be rated to the Relief of the Poor shall contain in a separate Column a Statement of the Ground of such Exemption; and all such separate Valuations, when made, shall be subject in all respects to the like Right of Appeal, Regulations, Additions, or Alterations, and shall be of like Force and Effect, under the Provisions of this Act, as any Valuation made for the Purposes of a Rate for the Relief of the Poor, as nearly as the Circumstances of the Case will admit.

Supplemen-
tal Valua-
tions:

Properties
not rated in
Poor Rate,
and Dwelling
Houses, to be
valued
separately.

“46. And be it enacted, That within Twenty-one Days after the Commencement of this Act, the Clerk of the Guardians of the Poor of each Union in which any Property may be situated liable to be rated under the Provisions of this Act, shall make out a true and perfect Copy of the then last made Rate for the Poor therein, and of such supplemental or separate Valuations as are herein-before directed* to be made, or of so much of them or either of them as shall relate to any Property liable to the Rates and Assessments herein-before mentioned, or as shall be required by the said Collector General, or as shall relate to the Rates or Assessments to be by him collected

Copies of
Valuations to
be made by
Clerks of
Unions, and
sent to
Collector
General:

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and of addi-
tions and
alterations.

Entry of
Rate or
Valuation,
or Certified
Copy, to be
Evidence.

Collector
General,
upon re-
ceiving year-
ly Estimates,
to assess
amounts
accordingly.

All Assess-
ments to be
entered in
Books to be
signed by
Collector
General:

and separate
Accounts
kept.

Assessment
not to be
deemed
erroneous by
being above
or below
estimate.

under the Provisions of this Act, and shall deliver the same, attested and certified by him, to the said Collector General; and such Clerk as aforesaid, from Time to Time and as often as any Additions to or Alterations in the said Rate for the Relief of the Poor shall have been made, whether by Appeal or otherwise, shall, within Ten Days after such Rate and supplemental Valuation shall have been so added to or altered, make true and perfect Copies of such Additions or Alterations, and deliver the same, attested and certified by him, to the said Collector General.

“47. And be it enacted, That the Entry of such Rate or supplemental Valuation, or, in the Absence of the Original, such attested and certified Copy of such Rate or supplemental Valuation, Addition, or Alteration as aforesaid, shall in all Cases be and be deemed and taken to be conclusive Evidence of all the Matters contained therein.

“48. And be it enacted, That such Collector General, upon receiving such yearly Estimates as aforesaid^a, shall, as soon as may be after the Receipt of the same, according to the several Amounts in such Estimates contained, make and declare the Poundage Rate to be levied in respect of each such Estimate upon all Premises, Tenements, and Hereditaments liable to be rated to the same, and in such Manner as herein-before directed, and with the Exceptions, Additions, and Alterations herein-before mentioned; and such Estimates, so apportioned, and such Rate or Rates for each such Year as aforesaid, shall be due and payable in Manner herein-after mentioned^b.

“49 And be it enacted, that all such Rates shall be entered in a Book or Books, and signed by the said Collector General; and when the same shall have been entered and signed, and when Notice thereof shall have been given as herein-after mentioned^b, such Rates respectively shall be deemed and taken to be as good, valid, and effectual in Law as if the same had been made and ascertained by the Bodies Politic or Corporate, Boards, Commissioners, or Persons respectively, who if this Act had not been passed would have been duly qualified to make the same, any Law, Statute, or Usage to the contrary in anywise notwithstanding; and correct and separate Accounts of every Rate or Rent which the said Collector General is hereby empowered to levy, collect, or receive, shall be kept in sufficient Books for that Purpose.

“50 And be it enacted, That any Rate made in pursuance of this Act shall not be deemed to be erroneous or liable to be quashed by reason of the entire Amount thereof respectively falling short of or exceeding the Amount of such Estimates respectively by any Sum not exceeding One Penny in the Pound upon such Valuation as aforesaid.

^a § 32, 34 (p. 508-9) *et seq.*

^b § 52 *et seq.*

“51. And be it enacted, that every such Rate to be collected and levied by virtue of this Act shall be collected and paid by Instalments, in case the Collector General shall so think fit.

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Rates may be paid by Instalments, if Collector General think fit.

“52. And be it enacted, That the said Collector General, so soon as may be after he shall have received such Estimate as aforesaid, shall give Notice thereof by Advertisement once in the *Dublin Gazette* and in Two other public Newspapers published in the City of Dublin, stating the Amount of such Estimates respectively, and of the Poundage upon the yearly Value of rated Property in respect of each Rate for the current Year; and in case the said Collector General shall determine that the said Rates shall be paid by Instalments, stating the Days upon which the Instalments of such Rate will become payable: and from and after such Publication as aforesaid the said Rates shall be and be deemed to be due and payable.

Public Notice of Rate, to be given:

Rates payable after such Notice.

“53. And be it enacted, That before any Rate shall be or be deemed due for the Purpose of enforcing the same by Distress or otherwise, a Demand thereof shall be made, by leaving at each House, Tenement, or Hereditament rated under the Provisions of this Act, or from which any Rate is to be collected and levied under the Powers and Authorities herein contained, a Notice in Writing, which shall contain the Valuation of such House, Tenement, or Hereditament as the same stands rated in the Valuation for the Poor's Rate, the Poundage Rate made thereon for each such Rate, and the Amount thereof respectively, together with the whole Amount charged upon or claimed from such House, Tenement, or Hereditament, and, in case the same shall be payable by Instalments, the Days upon which the Instalments of such Rate will become payable; and such Notice shall have the Collector's Name at Foot thereof, and shall be as near as may be in the Form in the Schedule (B) to this Act annexed^a; and a Receipt from any Collector appointed to receive the same shall be a sufficient Acquittance to the Occupier, Owner, or Person liable to pay such Rate as aforesaid, for all Purposes whatsoever.

Demand of Rate to be made:

Particulars of Notice of demand.

“54. And be it enacted, That the Rate or Rates so to be collected or levied on any public Building shall be paid by the principal Officer belonging to such public Building, or by the Proprietor thereof, and shall be recovered by all or any of the Remedies, Ways, and Means herein-after mentioned^b.

Rates on public Buildings to be paid by principal Officer or proprietor.

“55. And be it enacted, That no Collector of any Rates to be levied or collected by virtue of this Act shall be permitted to discharge himself in his Accounts, or be excused for not collecting any Rates or Money which he shall have been charged to collect, upon the Ground of the Premises chargeable therewith being insolvent, un-

Collectors not to be discharged by a return of Insolvent Arrear until after personal

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Inspection of
the Premises
by or on
behalf of
Collector
General.

Half-yearly
Accounts to
be made out
and notified
by Collector
General.

Rates to be
open to In-
spection of
Rate-payers,
who may
take Copies,
&c.

Rates may be
amended by
Collector
General, in

less such Premises shall have been previously personally visited and inspected by the said Collector General, or by some Person (not being a Collector) appointed for that Purpose by the said Collector General, and unless such Person, after such Inspection, and after he shall have made all due Inquiry as to the possible Means of enforcing Payment of the Rate due in respect of said Premises, shall report to the said Collector General that he has personally inspected such Premises, and made such Inquiry as aforeaid, and that he believes such Premises to be insolvent, and that there are no Means to which such Collector could successfully resort for enforcing Payment thereof, and unless the said Collector General shall be satisfied that the Loss of such Rate has not been occasioned by any Default or Want of due Diligence on the Part of such Collector.

“ 56. And be it enacted, That the said Collector General shall make out half-yearly, at such Time as shall be fixed by the Lord Lieutenant, for each such Bodies Politic or Corporate, Boards, Commissioners, or Persons, a true and correct Account of the entire Sum rated or notified for Collection by him at the Commencement of the preceding Year, and the whole Amount received by him during the past Year, and the Amount paid by him to each such Bodies Politic or Corporate, Boards, Commissioners, or Persons, and the Date thereof, and the Amount of each Rate remaining uncollected in each such Ward or Electoral Division, or Portion thereof, and the Amount thereof supposed to be insolvent, and the Description of the Premises deemed by the said Collector General to be insolvent, together with the Names of the Persons respectively rated for the same, together with the Charges, Salaries, Poundage, and Expenses of the said Office for receiving Rates, specifying the Items thereof, and the Amount which has been received by him on account thereof; and the said Collector General shall within Ten Days thereafter post in some conspicuous place in the Office of the said Collector General, Lists of the said Premises so deemed to be insolvent, together with the Description and Names as aforesaid, and shall transmit Copies thereof to the said several Bodies Politic or Corporate, Boards, Commissioners, or Persons respectively.”

“ 60. And be it enacted, That such Rate shall be open to the Inspection of any Person interested or rated in such Rate, at all reasonable Times; and any such Person may take Copies or Extracts from such Rate without paying anything for the same: and if the Collector General refuses or does not permit any Person so interested or rated as aforesaid to take Copies or Extracts from such Rate, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

“ 61. And be it enacted, That the Collector General may from Time to Time amend any Rate by virtue of this Act, by inserting therein the Name of any Person claiming and

entitled to have his Name therein as Owner or Occupier, or by inserting therein the Name of any Person who ought to have been rated, or by striking out the Name of any Person who ought not to have been rated, or by raising or reducing the Sum at which any Person has been rated, if it appears to him that such Person has been underrated or overrated through clerical Errors, or by making such other Amendments therein as will make such Rate conformable to this Act; and no such Amendment shall be held to avoid the Rate: Provided always, that every Person aggrieved by any such Alteration shall have the same Right of Appeal^a therefrom as he would have had if his Name had been originally inserted in such Rate, and no such Alteration had been made; and as respects such Person the Rates shall be considered to have been made at the Time when he received Notice of such Alteration; and every Person whose Rates are altered shall be entitled to Seven Days' Notice of such Alteration before the Rate shall be payable by him.

“62. And be it enacted, That when any Property in respect of which any Person is liable to be assessed as Occupier, to any Rate under the Provisions of this Act, is unoccupied at the time of making any such Rate, the Collector General shall in every such Case include such Property in the said Rate, describing it in the Column appropriated to the Name of the Occupier as being “empty;” and if any Person afterwards occupy such Property during any Part of the Period for which such Rate was made, the Collector General shall insert in such Rate the Name of such Occupier, and collect from such Occupier, or from the Owner, if he be liable to pay the same, a Portion of the said Rate proportioned to the Time during which such Person occupies such Property; and every such Person shall thereupon be deemed to all Intents and Purposes to be properly rated: and all such Rates may be collected and recovered from the Person liable to pay the same under the Provisions of this Act, in the same Manner as other Rates made payable thereunder: Provided always, that any Person whose Name is so inserted in such Rate, and such Owner as last aforesaid, may appeal against such Rate to the Justices at Special Sessions, or to the next Quarter Sessions holden after such Insertion of his Name as aforesaid, admitting of such Appeal, in the same Manner as he might have appealed if named in the Rate: Provided also, that, except as aforesaid, no Rate shall be payable by any Person in respect of unoccupied Premises.

“63. And be it enacted, That the Owners of all rateable Property of which the full net annual Value does not exceed the Sum of Eight Pounds, or which are let to weekly or monthly Tenants, or in separate Apartments,

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certain
particulars.

Provisos:
Appeal
against alte-
rations;

Time of
making of
Rate;
Notice of
Alteration.

Unoccupied
Premises to
be included
in the Rates:
and if the
Premises are
afterwards
occupied, a
Portion of
Rates to be
paid, for the
time of
occupation.

Appeal to
Special Ses-
sions or
Quarter Ses-
sions.

Owners of
£8 Tene-
ments to pay
the Rates.

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Rating of
"Owner,"
where Name
unknown.

Tenants
under exist-
ing Leases to
repay the
Owner.

Occupiers
may be rated
if they think
fit.

Appeal
against Rate
to a Division-
al Justice on
Ground of
unfairness of
Valuation,
&c.

Notice of Ap-
peal;

and Recogni-
zances.

shall be rated to and pay the Rates by this Act directed to be made, instead of the Occupiers thereof^a.

"64. And be it enacted, That whenever the Name of any Owner liable to be rated under the Provisions of this Act is not known to the Collector General, it shall be sufficient to rate such Owner in the Rate Book as the Owner of the Property to be rated, by the Designation of "the Owner," without stating his Name^a.

"65. Provided always, and be it enacted, That when any Owner is rated in respect of any rateable Property in the Occupation of any Tenant under any Lease or Agreement made prior to the Commencement of this Act^b, such Tenant shall repay to the Owner all Sums paid by him during the Continuance of such Lease on account of any Rates under this Act payable by the Occupier, unless it have been agreed that the Owner shall pay all Rates in respect of such Property: and every Sum so payable by the Tenant to the Owner may be recovered, if not paid upon Demand, as Arrears of Rent could be recovered from the Occupier by the said Owner^a.

"66. And be it enacted, That the Occupiers of any rateable Property may demand to be assessed for the same, and to pay the Rates in respect thereof made by the said Bodies Politic or Corporate, Boards, Commissioners, or Persons and applotted, levied, and collected under the Authority of this Act; and the Collector General shall assess every such Occupier so long as he duly pays the said Rates, anything herein-before contained notwithstanding.

"67. And be it enacted, That if any Person shall think himself aggrieved by any Rate, on the Ground of Inequality, Unfairness, or Incorrectness in the Valuation of any rateable Property included therein, or in the Amount assessed thereon, he may, at any Time within One Month after such Rate is applotted by the Collector General, appeal to a Divisional Justice of the District within which the Rateable Property is situated; but no such Appeal shall be entertained by such Justice unless Ten Days' Notice in Writing of such Appeal be given by the aggrieved Party to the Collector General; and such Justice shall hear and determine all Objections to any such Rate on the Ground of Inequality, Unfairness, or Incorrectness in the Valuation of any Property included therein, or in the Amount assessed thereon, of which Notice has been so given, but no other Objection; and his Decision shall be final: provided that no such Appeal shall be heard before such Justice unless the Party appealing shall, within Five Days after the giving of the said Notice, enter into a Recognizance before a Divisional Justice, with sufficient Sureties, conditioned to try such

^a The interpretation clause declares that in the construction of this act, "the word *Owner* shall mean Landlord or Immediate Lessor."

^b i.e., prior to 5 September 1850, (§ 90.)

Appeal before the first-mentioned Divisional Justice, and to abide the Order of and pay such Costs as shall be awarded by such Divisional Justice.

“68. And be it enacted, That the said Justice shall in any such Appeal as aforesaid have the same Powers of amending the Rate in respect of which the Appeal is made as are by Law vested in Courts of Quarter Sessions for amending the Rates for the Relief of the Poor within their Jurisdiction, upon Appeals against such Rates; and shall likewise have, in any Appeal against any Rate to be levied under the Authority of this Act, the same Powers of awarding Costs to be paid by or to any of the Parties to the Appeal, and of recovering such Costs, as are now vested in such Courts for awarding and recovering Costs in an Appeal against any Rate for the Relief of the Poor within their Jurisdiction^a.

“69. And be it enacted, That no Order of the said Justice upon any such Appeal as aforesaid shall be removed by Certiorari or otherwise into any of Her Majesty's Courts of Record at Dublin.

“70. And be it enacted, That if any Person rated to any of the Rates or Rents to be levied under the Authority of this Act, fail to pay any of the said Rates due from him for the Space of Fourteen Days after Demand thereof in Writing by the Collector General or his Collector, any such Justice, on the Application of the Collector General or his Collector, may summon such Person to appear before him at a Time to be mentioned in the Summons, to show Cause why the Rates due from him should not be paid; and in case no sufficient Cause for the Nonpayment of such Rate be shown, the same shall be levied by Distress, and such Justice shall issue his Warrant accordingly, or the Collector General may recover the same by Action of Debt, or by Civil Bill; provided that if no sufficient Distress whereon to levy the Amount due in respect of such Rates can be found within the Jurisdiction of the said Justice, then, upon Oath thereof made before any Justice of any other County or Jurisdiction in which any Goods or Chattels of the Person not paying the said Rates may be found, such Justice shall certify the said Oath, by endorsing the said Warrant, and thereupon the Amount due in respect of the said Rates, and unpaid by the said Person, may be levied by Distress of the Goods and Chattels of such Person as assessed in the last-mentioned County or Jurisdiction.

“71. And be it enacted, That the Warrant of Distress for the Recovery of any Rate made payable by this Act may be in the Form or to the effect mentioned in Schedule (C.) to this Act annexed^b; and in all Cases where a Distress is hereby authorized to be made, every Consta-

12 & 13 Vic.
c. 91,
DUBLIN
RATES COL-
LECTION ACT,
1849.

Divisional
Justice on
Appeal, to
have same
power of
amending
Rates, &c.,
as in appeals
against Poor
Rates.

Justice's Or-
der on Appeal
not remov-
able by
Certiorari.
Powers for
recovery of
Rates.

Divisional
Justice may
summon Per-
son rated;

and issue
Warrant of
Distress.
Civil Bill.
Distress in
other Juris-
dictions.

Form of
Warrant of
Distress.

Constables
to assist in
making Dis-
tress.

^a Provisions respecting powers of Quarter Sessions in Appeals against Poor Rates, 1 & 2 Vic. c. 56, § 107, and 6 & 7 Vic. c. 92, § 7, (p. 83, 113-4.)

^b Page 522.

12 & 13 VIC.
c. 91,
DUBLIN
RATES COL-
LECTION ACT.
1849.

Rate Books
to be Evi-
dence.

Remedy
against per-
sons quitting
before pay-
ment of
Rates.

Rates to be
apportioned
on Holder
quitting.

Rates 3
months due
from Owner
may be re-
covered from
Occupier,
and deducted
from Rent.

ble authorized by the Warrant to levy any Sum mentioned therein shall, upon being required by a Collector of the Rates, aid in making a Distress or Sale pursuant to such Warrant.

“72. And be it enacted, That in any Proceeding to levy and recover or consequent on the levying or recovering of any Rate under the Provisions of this Act, the Books of Rates of the Collector General, and all Entries made therein in Manner by this Act directed, by the Production thereof alone, and without any Evidence that the Notice and other Requirements of this Act have been given or complied with, or on Proof of the Signature of the Collector General subscribed therein, shall be received as Evidence of such Rate and of the Contents thereof.

“73. And be it enacted, That if any Person quit or be about to quit any rateable Property before he has paid the Rates then payable by him in respect thereof, and do not pay the same to the Collector General or his Collector, on Demand, any Justice having Jurisdiction where such Person resides or his Goods are found, may summon such Person to appear before him at a Time mentioned in the Summons, to show Cause why the Rates should not be paid; and if no sufficient Cause for the Nonpayment of such Rates be shown accordingly, the same shall be levied by Distress, and such Justice shall issue his Warrant accordingly.

“74. And be it enacted, That when any Rate has been made for a particular Period, and the Owner or Occupier who is rated to such Rate ceases to be the Owner or Occupier of the Property in respect whereof he is rated, before the End of such Period, such Owner or Occupier shall be liable to pay a Portion only of the Rate payable for the whole of such Period proportionate to the Time during which he continued to be Owner or Occupier; and in every such Case, if any Person, after the making of such Rate, become the Owner or Occupier of any Property so rated as aforesaid during Part of the Period for which such Rate was made, such Person shall pay a Portion of such Rate proportioned to the Time during which he held or occupied the Property so rated, and the same shall be recovered from him in the same Manner as if he had been originally rated for such Property.

“75. And be it enacted, That when the Owner of any rateable Property is rated in respect thereof under the Authority of this Act, and the Rate remains unpaid for Three Months, the Collector General or his Collector may demand the Amount of such Rate from the Occupier for the Time being of such rateable Property, and on Nonpayment thereof may recover the same by Distress and Sale of his Goods and Chattels, in like Manner as Rates may be recovered from the Occupier of any Property liable to be rated; and every such Occupier shall be entitled to deduct from the Rent payable by him to

such Owner so much as was so paid by or recovered from him. 12 & 13 Vic.
c. 91,

“76. Provided always, and be it enacted, That no such Occupier shall be required to pay, nor shall his Goods and Chattels be distrained for, any further Sum than the Amount of Rent due from him at the Time of the Demand made upon him for such Amount of Rate, or which after such Demand, and after Notice not to pay the same to his Landlord, at any Time accrues and becomes payable by him, unless he refuse, on Application being made to him for that Purpose by or on behalf of the Collector General, truly to disclose the Amount of his Rent and the Name and Address of the Person to whom such Rent is payable; but the Burden of Proof that the Sum demanded from any such Occupier is greater than the Rent due by him at the Time of such Notice, or which has since accrued, shall lie upon such Occupier.

DUBLIN
RATES COL-
LECTION ACT,
1849.

Occupier not
to be required
to pay more
than the
Amount of
Rent owing
by him.

“77. And be it enacted, That if, on the Request of the Collector General or of the Collector of the said Rates, the Occupier of any Property refuses or wilfully omits to disclose or wilfully mis-states to the Collector General or Collector making such Request the Name of the Owner of such Property, or of the Person receiving or authorized to receive the Rents of the same, such Occupier so refusing or wilfully omitting to disclose or wilfully mis-stating as aforesaid shall be liable to pay the Rate or Rates to which the Property occupied by him shall have been rated, in like Manner as if he had been himself rated to the same under the Provisions of this Act.

Occupier
refusing to
give name of
Owner liable
to pay the
Rate.

“78. And be it enacted, That any Summons or Notice, or any Writ, or other Proceeding at Law or in Equity, requiring to be served upon the Collector General, may be served by the same being left at or transmitted through the Post, directed to the Office of the Collector General, or being given personally to him.

Service of
Notices, &c.,
upon Collec-
tor General.

“79. And be it enacted, That if any Party shall have committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this Act, or by virtue of any Power or Authority thereby given, and if before Action brought in respect thereof such Party make Tender of sufficient Amends to the Party injured, such last-mentioned Party shall not recover in any such Action; and if no such Tender shall have been made, it shall be lawful for the Defendant, by Leave of the Court where such Action shall be pending, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

Tender of
Amends in
case of
Irregularity,
&c.

“80. And be it enacted, That no Distress levied by virtue of this Act shall be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding

Distress not
unlawful for
Want of
Form.

12 & 13 VIC.
c. 91,
DUBLIN
RATES COL-
LECTION ACT,
1849.

Justices may
summon
Witnesses:

Penalty for
Non-attend-
ance.

Appeal from
decision of
Justice to
Quarter Ses-
sions within
4 months:

Notice;

Recogni-
zances.

Quarter Ses-
sions to de-
cide Appeal.

Costs.

False Evi-
dence.

Application
of Penalties.

relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity afterwards committed by him; but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

“81. And be it enacted, That it shall be lawful for any Justice to Summon any Person to appear before him as a Witness in any Matter in which such Justice shall have Jurisdiction under the Provisions of this Act, at a Time and Place mentioned in such Summons, and to administer to him an Oath to testify the Truth in such Matter; and if any Person so summoned shall, without reasonable Excuse, refuse or neglect to appear at the Time and Place appointed for that Purpose, having been paid or tendered a reasonable Sum for his Expenses, or if any Person appearing shall refuse to be examined upon Oath or to give Evidence before such Justice, every such Person shall forfeit a Sum not exceeding Five Pounds for every such Offence.

“82. And be it enacted, That if any Party shall feel aggrieved by any Determination or Adjudication of any Justice with respect to any Penalty or Forfeiture under the Provisions of this Act, such Party may appeal to the General Quarter Sessions; but no such Appeal shall be entertained unless it be made within Four Months next after making of such Determination or Adjudication, nor unless Ten Days' Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal shall be brought, nor unless the Appellant forthwith after such Notice enter into Recognizances, with Two sufficient Sureties, before a Justice, conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon.

“83. And be it enacted, That at the Quarter Sessions for which such Notice shall be given, the Court shall proceed to hear and determine the Appeal in a summary Way, or they may, if they think fit, adjourn it to the following Sessions; and upon the Hearing of such Appeal the Court may, if they think fit, mitigate any Penalty or Forfeiture, or they may confirm or quash the Adjudication, and order any Money paid by the Appellant, or levied by Distress upon his Goods, to be returned to him, and may also order such further Satisfaction to be made to the Party injured as they may judge reasonable; and they may make such Order concerning the Costs, both of the Adjudication and of the Appeal, as they may think reasonable.

“84. And be it enacted, That every Person who, upon any Examination upon Oath under the Provisions of this Act, shall wilfully and corruptly give false Evidence, shall be liable to the Penalties of wilful and corrupt Perjury.

“85. And be it enacted, That all Penalties imposed by or under the Authority of this Act. where the Application

is not otherwise provided for, shall be payable to the Guardians of the Poor of the Union within which the Offence was committed, to be applied in aid of the Poor Rates of such Union."

12 & 13 Vic.
c. 91,
DUBLIN
RATES COL-
LECTION ACT,
1849.

Under § 86, lists of rate-payers are to be given to the Town Council by the Collector General, when required for municipal purposes: and under § 87 he is to make out list of persons in the County of the City of Dublin liable to serve on Juries, with residences, &c.

SCHEDULES REFERRED TO IN THE FOREGOING ACT.

SCHEDULE (A.)^a

Name of Rate, Cess, Tax, or Rent to be collected by the Collector General.

Police Rate.	Improvement Rate ^b .
Poor Rate.	District Sewer Rate ^c .
Pipe-Water Rate or Rent.	Grand Jury Cess.
Borough Rate.	

SCHEDULE (B.)^d

Form of Notice of Demand of Rates and Taxes being due and payable.

No. By Order of the Collector General of Taxes.

To

TAKE notice, That the under-mentioned Rates and Taxes due by you for Property in your Occupation, or for which you are liable from

became due and payable on the

Day of

Collector General's Office, A. B., Collector.
Street, Dublin.

[Date]

Name of Rate or Tax.	Description and Situation of Property.	Valuation.	Poundage.	Amount due on each Rate.	Total due.
Police Rate .					
Poor Rate .					
Pipe-Water Rate or Rent .					
Borough Rate .					
Improvement Rate					
District Sewer Rate					
Grand Jury Cess .					

^a § 1 (p. 503).

^b 12 & 13 Vic. c. 97, § 115 (p. 525).

^c 12 & 13 Vic. c. 97, § 113 (p. 525).

^d § 53 (p. 513).

12 & 13 VIC.
c. 91,
DUBLIN
RATES COL-
LECTION ACT,
1849.

SCHEDULE (C.)^a*Form of Warrant of Distress for the Recovery of Rates.*

County of _____ } WHEREAS Complaint hath been duly
or Borough, &c., } made by
to wit. } One of the Collectors of Rates, to the
Collector General appointed under the Authority of an
Act intituled [*here insert Title of this Act*], that
of, &c., hath not paid and has refused
to pay the Sum of _____ duly assessed upon him
in and by a certain Rate [*or Rates*] for the said Borough
[*or District*], called the _____ bearing Date on
or about the _____ Day of _____ in the Year
of our Lord 184 _____, and duly made according to the
Directions and for the Purposes of [*here name the Act*
under which Authority is given to make the Rate or Rates],
although the same hath been duly demanded of him:
And whereas it appears to me _____ One of Her
Majesty's Justices of the Peace in and for the said County
or Borough. &c., as well upon Oath of
One of the said Collectors of Rates, as otherwise, that the
said Sum of _____ hath been duly demanded in
Writing by him from the said _____ and that
the said _____ hath refused to pay the same
for the Space of Fourteen Days after such Demand made,
and doth refuse to pay the same: And whereas the said
_____ having appeared before me in pursu-
ance of my Summons for that Purpose, hath not shown
to me any sufficient Cause why the same should not be
paid [*or And whereas it hath been duly proved to me*
upon Oath that the said _____ hath been duly
summoned to appear before me to show Cause why he
refuseth to pay the said Rate or Assessment, but he the
said _____ hath neglected to appear according
to the said Summons, and hath not shown to me any
sufficient Cause why the same should not be paid]:
These are therefore in Her Majesty's Name to command
you to levy the said Sum of _____ by Distress
of the Goods and Chattels of the said _____
and if the same shall not be paid within the Space of
_____ Days next after such Distress by you
taken, together with the reasonable Charges of taking
and keeping the same. that then you do sell the said
Goods and Chattels by you distrained, and out of the
Money arising by such Sale that you detain the Sum
of _____ and also your reasonable Charges of
taking, keeping, and selling the said Distress, rendering
to him the said _____ the overplus, on
Demand; and if sufficient Distress cannot be found of
the Goods and Chattels of the said _____
whereon to levy the said Sum of _____ that
then you certify the same to me, together with the War-

rants, to the end that such further Proceeding may be had therein as to the Law doth appertain. Given under my Hand and Seal, the Day of _____ in the Year of our Lord One thousand eight hundred and forty—.

12 & 13 Vic.
c. 91.

12 & 13 VICT. CAP. 97.

An Act for the Improvement of the City of *Dublin*.

[*Passed, 1st August 1849.*]

12 & 13 Vic.
c. 97,
DUBLIN
IMPROVE-
MENT ACT,
1849.

This act, which it is sufficient (§ 8,) to describe as “the Dublin Improvement Act, 1849,” took effect on and from 1st January, 1851, and repealed (§ 1,) a variety of provisions in previous statutes “in so far as they relate to the paving, lighting, cleansing, widening, and improving of the streets and thoroughfares within the Borough of Dublin, and to the Turnpike roads therein;” the object of the act being “that other and enlarged powers and provisions should be made and granted for these purposes, and for the Sanitary Improvement of the said Borough, and also that the public Markets within the said Borough should be better regulated, and that new markets should be established therein.” The Act also (§ 40, 41) transfers the fiscal powers of the Grand Juries of the City and of the County of the City, respectively, to the Corporation, so far as concerns the Borough of Dublin, as well as powers of the Paving Board and Wide Street Commissioners; and the Borough Council is empowered to carry the act into execution.

The “Limits of the Act” are “the Municipal Boundaries of the Borough of Dublin,” and the act “shall and may be put in force within the said Limits or any Part thereof,” (§ 9). The interpretation clause defines the Words “City of Dublin or Borough” to mean “the Borough of Dublin as enlarged and extended by the Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in Ireland*, or any Act or Acts amending the same.”

3 & 4 Vic.
c. 108.

The following is an Abstract of provisions of the act, which relate to Rating and Collection of Rates, and have

Rating.

12 & 13 Vic. c. 97, DUBLIN IMPROVEMENT ACT, 1849. reference to provisions already extracted in this volume from other statutes:—

Power for Council to borrow £100,000 on Mortgage of Rates. “24. And be it enacted, That it shall be lawful for the Council to borrow for the Purposes of this Act on Mortgage or Bond any Sums not exceeding in the whole the Sum of One hundred thousand Pounds, on the Security of the Rates by this Act authorized; and for securing the Repayment of the Monies so to be borrowed, with Interest, the Council may mortgage^a the Rates or any Part thereof respectively by this Act authorized to be raised, to the Person or Persons who shall advance or lend such Money, or his Trustees, as a Security for the Payment of the Money so to be borrowed, together with Interest for the same.

Council not to make any Rates except Borough Rate under 3 & 4 Vic. c. 108, and those authorized by this Act. “25. Provided always, and be it enacted, That, save and except any Borough Rate to be raised and levied pursuant to the Provisions and for the Purposes of the said recited Act passed in the Third and Fourth Years of the Reign of her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in Ireland*, it shall not be lawful for the said Council, by virtue of or under the Provisions of any Act incorporated in this Act, to make, assess, or levy any Rates or Sums of Money, other than the Rates and Sums authorized to be made, assessed, and levied under the Provisions of this Act.

Council not to apply Loan to any Purpose other than that for which Rate made. “26. Provided also, and be it enacted, That it shall not be lawful for the Council to apply any portion of the Sum of One hundred thousand Pounds borrowed on the Security of any Rate to be made under the Provisions of this Act, save to the Purposes for which such Rate has been made.”

Council may raise Money by Annuity. “31. And be it enacted, That it shall be lawful for the Council to raise all or any Part of the Money borrowed for the Purposes of this Act by granting Annuities for Lives, instead of Mortgages as aforesaid^b; and for that Purpose the Council may charge the Rates granted by this Act with an Annuity, to determine on a Life or Lives in being, in favour of any Person who shall advance to the Council any Sum of Money for the Purchase of the same.”

Powers of 3 & 4 Vic. c. 58, relating to Poddle River to be transferred to Council. “58. And whereas by an Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act to amend the Acts relating to the River Poddle, in the County and City of Dublin*, it was provided that all the Powers and Authorities belonging under the Acts recited therein to the Commissioners constituted thereunder should cease to be exercised by the said Commissioners, and should be thenceforward transferred to and vested in the Commissioners for paving, cleansing, and lighting the Streets of Dublin: And whereas it is

^a Or grant Annuities, § 31.

^b § 24.

^c 3 & 4 Vic. c. 58 (p. 483).

expedient that the Powers and Authorities vested in the Commissioners for paving, cleansing, and lighting the Streets of Dublin, under the Provisions of the said Act, should be transferred to and vested in the Right Honourable the Lord Mayor, Aldermen, and Burgesses of Dublin: Be it therefore enacted, That from and after the Commencement of this Act^a, all the Powers, Rights, Duties, and Authorities transferred to, imposed upon, and vested in the said Commissioners for paving, cleansing, and lighting the Streets of Dublin under the Provisions of the said Act, shall cease to be exercised by the said Commissioners, and shall be thenceforward transferred to, imposed upon, and vested in the Right Honourable the Lord Mayor, Aldermen, and Burgesses of Dublin; and all the Clauses and Provisions in the said Act contained, save as to such of the Provisions thereof as are or may be inconsistent with the Provisions of this Act, shall be incorporated with and form Part of this Act, and shall be construed as if the Expression “The Lord Mayor, Aldermen, and Burgesses of Dublin” had been inserted therein, instead of the Words “Commissioners for paving, cleansing, and lighting the Streets of Dublin,” or, where any Act is required or authorized to be done by or to a certain Number of Commissioners, as if the word “Council” had been inserted therein instead of the Word “Commissioners.”

12 & 13 Vic.
c. 97,
DUBLIN
IMPROVE-
MENT ACT,
1849.

“113. And be it enacted, That for the Purpose of building and repairing Sewers within each District into which the District^b comprised within the Limits of this Act may be divided for the Purposes of Sewers, and for securing and paying off any Monies which may be borrowed for such Purposes, and the Interest thereof, it shall be lawful for the Council to make, assess, and levy for each such District such equal separate Rate, to be called the “District Sewer Rate,” as may be necessary for the Purposes aforesaid, not exceeding in any One Year Fourpence in the Pound of the full net annual Value of the Property included in such Rate.”

District
Sewer Rates.

Section 114 describes the purposes to which the Sewers' Rate may be applied.

“115. And be it enacted, That for the Purposes of defraying the Costs and Expenses of carrying this Act and the Powers and Provisions thereof into execution (except the Purposes to which any District Sewer Rates are hereby directed to be applied), and including the Costs and Expenses of making, maintaining, and providing such new Markets, and purchasing Markets, as are herein mentioned, and of defraying the Expenses of and incident to the obtaining of this Act, and also of paying the Amount of Compensation awarded to any Officer or

Improve-
ment Rate.

^a i. e., from 1st January 1851; § 1.

^b i. e., the Municipal Borough of Dublin, § 9 (p. 523).

12 & 13 Vic. c. 97,
DUBLIN
IMPROVE-
MENT ACT,
1849.

Person under the Provisions of this Act, it shall be lawful for the Council from Time to Time to make, assess, and levy (in lieu and stead of the Rates which might have been assessed and levied under the Provisions of the said recited Acts hereby repealed*) such equal Rate, to be called the "Improvement Rate," as may be necessary for the Purposes aforesaid, not exceeding in any One Year Two Shillings in the Pound of the full net annual Value of the Property included in such Rate."

Section 116 describes the purposes to which the Improvement Rate may be applied.

Power to
rate and
assess public
Buildings;

"117. And whereas certain public Buildings within the City of Dublin have been heretofore rated and assessed towards paving, lighting, and cleansing the Streets of the said City, and it is expedient that they should continue to be rated for such Purposes under the Provisions of this Act: Be it therefore enacted, That it shall be lawful for the Council and they are hereby required, when and at such Times as the before-mentioned Rates and Assessments shall be made, to rate and assess for the Purposes aforesaid all Colleges, Halls, Theatres, Docks, Courts of Law, and all other public Buildings whatsoever, or Buildings occupied for public Purposes, save as herein-after excepted, situate in or fronting to or along the Side or Sides of any Street, Square, Lane, or other public Place or Passage within the Jurisdiction of the Council, in Manner following; (that is to say,) to rate and assess all Colleges, Halls, Theatres, Docks, Courts of Law, and other public Building or Buildings used for public Purposes, at a Rate not exceeding One Shilling by the Year for every Square Yard of the Ground fronting to or on the Side of such Colleges or other Buildings aforesaid, and contained between every such College or Ground, or the Ground belonging to such College or Building, and the Centre of any Street, Lane, or Passage to which it adjoins or fronts; and in case any such College or Building as aforesaid, or the Ground thereto belonging, shall be situated at any of the Quays, Docks, Squares, or Streets built upon one Side only, that then such College or Building shall be rated and assessed as aforesaid according to the Number of Square Yards of the Ground lying between such College or Building and the Wall, Railing, or other Inclosure of such Quay, Dock, Square, or Streets built upon one Side only; and to rate and assess all dead Walls and void Spaces of Ground adjoining to or on the Side or Sides of any Street, Lane, Quay, Court, Square, Alley, or other public Passage within the said Limits (save as aforesaid), although such dead Wall should enclose a Yard or Garden belonging or adjoining to any House or Tenement, for every Yard Running or

and dead
Walls and
void Spaces
of Ground,
&c.

* See introductory par., p. 523.

Lineal Measure of such dead or void Space of Ground adjoining to or along the Side of such Street or Passage as aforesaid, at such respective Rate or Rates, Assessment or Assessments, as to the Council in their Discretion shall seem proper; provided that no Rate or Assessment so to be made in any such Case or Cases as last aforesaid shall exceed in the Year the Rate of Three Shillings for every such Yard Running Measure of such dead Wall or void Space (save as aforesaid) within the aforesaid Limits.

12 & 13 Vic.
c. 97.
DUBLIN
IMPROVE-
MENT ACT,
1849.

“118. Provided always, and be it enacted, That nothing in this Act contained for any of the Purposes therein or herein mentioned, either which have been or shall hereafter be performed, shall extend or be construed to extend to authorize the imposing or levying any Tax, Rate, or Assessment whatever on any sufficiently fenced or enclosed Lot or Plot of Ground, being laid out for the Purpose of building Houses thereon, in front to any Street or public Passage, and which Lot or Plot has not any Building erected thereon, but is actually in waste and out of Use or Profit.

Nothing to
extend to
impose
Rates, &c, on
unprofitable
Ground, &c.

“119. Provided also, and be it enacted, That no Person shall be rated to any Rate made in pursuance of this Act in respect of Minister's Money, or of any Church, Chapel, Meeting House, or other Building exclusively used for Public Worship, or any Building exclusively used for the Purposes of gratuitous Education of the Poor or of public Charity, or any Lands, Houses, or Buildings, or Parts of Houses or Buildings, exempted from the Payment of any County, Borough, Parochial, or other local Rates or Cesses, under the Provisions of an Act passed in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act to exempt from County, Borough, Parochial, and other local Rates, Land and Buildings occupied by Scientific or Literary Societies*.*

Exemption
from Rates.

“120. And be it enacted, That when the net annual Value of any Premises liable to Assessment under this Act does not exceed the Sum of Eight Pounds, or whenever any Premises liable to such Assessment are let to weekly or monthly Tenants, or in separate Apartments, and the Rents become payable or are collected at any shorter Period than quarterly, the Council may from Time to Time, if they shall think fit, compound with the Owner of such Premises for the Payment of all or any of the Rates to be made under this Act, upon such reduced Estimate of the net annual Value, not being less than Two Thirds or more than Four Fifths of the net annual Value at which the Premises are then assessed, as the Council shall deem to be reasonable; and any Owner who shall refuse to enter into such Composition shall be rated to and pay the Rates assessed upon such Premises in

Composition
for Recovery
of Rates upon
Tenements
not exceeding
the net
annual value
of £8, &c.

* 6 & 7 Vic. c. 36 (p. 327) : and Marsh's Library, 6 Ann. c. 19 (p. 330).

12 & 13 Vic.
c. 97,
DUBLIN
IMPROVE-
MENT ACT,
1849.

respect of which the Composition is offered; and if at any Time the Amount of Composition or any Rate to which an Owner is last assessed be due and unpaid, the same may be levied by Distress and Sale of the Goods and Chattels of the Owner in default, wheresoever they may be found, or of the Occupier or Occupiers of the Premises, in the same Manner as is herein-after provided with respect to the Recovery of Rates made under this Act or any Act incorporated therewith: Provided always, that no such Owner shall be assessed in respect of any increased Rent which may become payable to him by reason of his so compounding for or becoming liable to any Rates as aforesaid; provided also, that the Owner or Occupiers of any such Premises as last aforesaid shall be liable to Distress and Sale of his or their Goods and Chattels for the Nonpayment of such Amount of Composition or Rates as may become due in respect of the Premises occupied by him or them during his or their Tenancy, but shall never be liable to pay any greater Sum than the Amount of the Rent actually due from him or them for such Premises; and he or they may deduct any Amount paid by him or them for^a the Rent due or from Time to Time becoming due from him or them, unless there be an Agreement to the contrary, and the Receipt for the Amount paid by him or them shall to that Extent be as against the Owner in default a sufficient Discharge for Rent."

Estimates of
Sums re-
quired by
the Council
to be trans-
mitted to
the Collector
General for
Collection.

"126. And whereas a Bill is pending in Parliament, intituled *An Act to provide for the Collection of Rates in the City of Dublin*, by which Bill it is, amongst other Things, provided, that all Rates to be made under the Provisions of this Act shall be apportioned, levied, and collected by the Collector General therein mentioned^b: Be it enacted, That in case the said Bill shall pass into a Law, the Mayor, Aldermen, and Burgesses of Dublin shall and they are hereby required to transmit to the Collector General therein mentioned the several Estimates under their Common Seal required by the said intended Act to be transmitted to him at the respective Dates therein mentioned^c; and the Amount of such Estimates shall be collected by the said Collector General as in the said intended Act directed, any thing in this Act contained to the contrary notwithstanding."

^a Sic: from ?

^b 12 & 13 Vic. c. 91 (p. 501.)

^c § 32-43 of 12 & 13 Vic. c. 91 (p. 508-510.)

PART II.—GENERAL REGULATIONS
AND ORDERS ;

AND

INSTRUCTIONS CONNECTED THEREWITH.

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PART II.

1.—ELECTION OF GUARDIANS.

GENERAL ORDER OF 26TH JANUARY, 1852,

FOR REGULATING THE

ELECTION OF GUARDIANS:

WITH CIRCULARS OF INSTRUCTIONS, &c.

PART II. 1.

ELECTION OF
GUARDIANS.Introductory
Note.INTRODUCTORY NOTE ON THE ELECTION
ORDERS.

THE last edition of this work contained two Election Orders,—one, the form of order issued from time to time and on various dates to each Union separately, and containing the regulations as to the *mode of conducting* the Elections of Guardians,—and the other, a distinct and later order, dated 27th January, 1848, being a General Order regulating the *dates* on which the several proceedings in the Election should be taken. The latter order applied, however, to only 113 of the Unions, there having been no occasion for the Election of Guardians at that time in the remaining Unions, in which the Board of Guardians had been dissolved and Paid Officers appointed *vice* Guardians. A similar Order prescribing the same dates was afterwards issued to other Unions; and under the several Orders issued from time to time, the same regulations eventually became applicable to the annual Elections in all the Unions in Ireland.

The General Order of 27 January, 1848, above referred to, was issued for the purpose of shortening the period occupied in the Elections, and thereby avoiding much of the inconvenience and interruption to the ordinary business of the Unions, which had occurred in earlier years while the Elections were extended over a longer period.

The various Orders above alluded to have since been revised, consolidated and amended, in one General Order of 26 January, 1852, which supersedes and rescinds all previous Orders for regulating the Election of Guardians, except in regard to the Appointment of Returning Officers

for conducting such Elections, and the amounts of Qualification for the office of Guardian, which may vary and are regulated by separate Orders issued from time to time. The General Order of 26 January, 1852, which is the order now in force, is inserted in the present edition (p. 537); and the amount of Qualification for the office of Guardian in the several Unions, as at present fixed, is given, with some other particulars, in a table which will be found in Part V.

ELECTION OF
GUARDIANS.

Introductory
Note.

The Clerk of the Union for the time being is generally the Returning Officer; but there have usually been some exceptions to this in each year, in the case of particular Unions, for which, from various circumstances, persons other than the Clerks of the Unions have been appointed to act as Returning Officers, from time to time. In the present year (1856), the only Union for which a special Returning Officer, not the Clerk of the Union, is appointed, is the Bailieborough Union. The General Order of 26 January, 1852, applies in both cases, whether the Clerk of the Union be or be not the Returning Officer for the time; and the Remarks and Instructions issued to the Returning Officers for their guidance, in both cases, in the execution of the Order, are substantially alike: they will be found herein, following the Order.

The annual Elections of Guardians in all the Unions are now regulated by the General Order of 26 January, 1852, both in regard to the course of the proceedings and the dates on which the several steps in the Election are to be taken: and the regulations in that Order are applicable not only to the general annual Elections which take place in March, but to any other Elections that may occur during the year, for the supply of vacancies for particular divisions or otherwise, subject to the necessary modifications as to dates according to the circumstances of the case: (see Article 43 of General Order.*)

The following statement shows the several stages of the annual Election, and the dates on which the proceedings therein must be taken where the day named is not a Sunday or Good Friday. Whenever any of the prescribed days is a Sunday or Good Friday, the proceeding is to be

* Page 551.

**ELECTION OF
GUARDIANS.****Introductory
Note.****Dates for
proceedings
in annual
Elections.**

taken on the ensuing day. The following are the ordinary dates:—

19th Feb.—Last day for receiving Owners' Statements of Claim to vote, and Appointments of Proxies, (6 & 7 Vic. c. 92, § 24), so as to enable owners to vote in the Annual Election of the same year: and in case of contest, List of Rate-payers making Statements to be made up to this day—(Art. 17 of Election Regulations.)

Such Statements and Appointments may, however, be made and received at any time; but the persons making them, and proxies appointed, cannot vote till one calendar month after the Statements or Appointments have been lodged, under § 24 of 6 & 7 Vic. c. 92, (p. 125.)

25th Feb.—Issue of Notice of Election—(art. 9.)

4th March—Last day for receiving Nomination Papers, which are receivable up to 5 o'clock P.M. on that day, and not later—(art. 11.)

8th March—List of Candidates to be prepared and forwarded—(art. 14.)

List of Voters to be prepared in case of contest.

11th March—Application to be made to Constabulary for assistance in distributing Voting Papers, where necessary.

Voting Papers and Lists of Voters to be afterwards forwarded to Constabulary, in time for distribution on 18th March, for which purpose they should be sent by the

17th March,—the day to which the List is to be made up of Occupying Tenants entitled to vote, who have by this day paid up Rates required to be paid, (art. 21.)

17th March—Last day for payment by Occupying Tenants of Rate made and due six months before, (under § 85 of 1 & 2 Vic. c. 56)—to enable a Voting Paper to be issued to them (art. 21). And the 21st March is the last day for payment by occupying Tenants of Rate made and due six months before, to enable them to vote on personal application to Returning Officer (art. 29.)

18th March—Day for issuing Voting Papers, (art. 20,)—and following day, if needful.

20th March—Day for collecting Voting Papers, (art. 27,)—and following day, if necessary.

21st March—Time for applying for Voting Papers where not duly received by persons entitled to vote, expires—(art. 28, 29.)

22nd March—Time for delivering to Returning Officer Voting Papers that may not have been duly collected, expires—(art. 30.)

25th March—Return of Guardians to be made, (art. 34); or within 14 days after this date—(art. 35.)

The "Remarks" for the information and guidance of the Returning Officers, issued by the Commissioners with the order, will be found immediately after it (p. 568): and some Circulars of Instructions relating to the duties of the Officers in the conduct of the annual Election of Guardians are inserted afterwards (p. 574-608).

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PART II. 1.

GENERAL ORDER OF 26TH JANUARY, 1852,

FOR REGULATING THE

ELECTION OF GUARDIANS.

To the GUARDIANS of the Poor of the several UNIONS named in the Schedule hereunto annexed^a; to the RETURNING OFFICER, and other Officers, in each of the said Unions respectively; and to all other Persons whom it may concern.

ELECTION
ORDER:
26 JAN. 1852.

Whereas the Poor Law Commissioners did heretofore, by Orders under their Seal, issue Rules and Regulations for conducting the Annual Election of Guardians of the Poor, in certain of the Unions mentioned in the Schedule hereunto annexed^a; and did prescribe the mode and times for conducting the Election of Guardians in each of such Unions. And whereas the Commissioners for administering the Laws for Relief of the Poor in Ireland, did, by a General Order dated the 27th of January, 1848, alter the dates on which the several proceedings for the Annual Election of Guardians had been, by the said Orders, directed to be taken in such Unions; and have issued Orders for regulating the Annual Election of Guardians in the other Unions named in the said Schedule. And whereas We, the Commissioners for administering the Laws for Relief of the Poor in Ireland, deem it expedient to alter the Rules and Regulations contained in the said Orders for the conduct of Elections of Guardians, and to make further provision in that behalf.

Now, therefore, in exercise of the Powers vested in Us, We do hereby rescind so much of every such Order for regulating the Annual Election of Guardians heretofore issued by the said Commissioners to any of the several Unions named in the Schedule hereunto annexed^a, as is in any way affected

Rescinding
of previous
Election
Orders.

^a Page 567. The present order applies to all the Unions in Ireland.

ELECTION
ORDER:
26 JAN. 1852.

or altered by the Regulations herein contained, except so far as any past Election is concerned.

And We do hereby Order, Direct, and Declare, with respect to future Annual Elections in each and every of the Unions named in the said Schedule^a, as follows :—

RETURNING OFFICER AND ASSISTANTS.

Returning
Officer and
Assistants:

ARTICLE 1.—The duties herein directed to be performed by the Returning Officer, and all other duties suitable to his office, which it may be requisite for him to perform in conducting and completing the Election of Guardians from time to time in each of the Unions named in the Schedule hereunto annexed^a, shall be performed by the person already or hereafter appointed for the purpose by any Order of the Commissioners in force for the time being^b in such Union, and required or directed by such Order to perform the same: or by any person duly appointed to perform such duties in case of vacancy in the office of Returning Officer, or of his being prevented by sickness, accident, or other sufficient cause, from the performance of his duties.

Constabulary
and Dublin
Police;

ARTICLE 2.—The Police Force employed in the Union are hereby appointed to be Assistants to the Returning Officer for posting the Notice of Election^c, and for distributing and collecting Voting Papers where necessary, as hereinafter directed^d. Provided always, that if in any case the services of the Police Force should not be available or sufficient for the purpose, the Returning Officer shall, on receiving information thereof, appoint a competent number of fit and proper persons to act as his Assistants instead of the Police^e, so far as shall duly appear to be necessary.

^a Page 567. This order applies to all the Unions in Ireland.

^b As to appointment of Returning Officer, see paragraph 2 of annual circular, (p. 574,) where the Clerk is also Returning Officer of the Union. Where these offices are not thus combined and held by one person, the Returning Officer is appointed by a separate instrument. Under the orders at present in force (1856), the Clerk of the Union for the time being is appointed to act as Returning Officer, in all the unions except Baillieborough Union. The Regulations under which the Returning Officer acts, whether he be Clerk of the Union or not, in the conduct of the Elections, are the same in all the unions, being those contained in this order.

^c Article 9 (p. 540).

^d Articles 18, 20, 22, 23, 27.

^e See pars. 4, 5 of annual circular to Returning Officers, (p. 575.)

ARTICLE 3.—The respective Collectors of Poor Rates in each Union are hereby appointed to be Assistants to the Returning Officer for the purposes hereinafter specified; and shall attend the Returning Officer on the days appointed for examining Nomination Papers and the Votes given at any Election of Guardians of the Union, bringing with them their respective Collecting Books, and shall assist such Officer in examining the Qualification of persons nominated for the office of Guardian or making Nominations and the validity of the Votes.

ELECTION
ORDER:
26 JAN. 1852.
—
Collectors.

CLAIMS TO VOTE AND REGISTERS.

ARTICLE 4.—Persons liable to pay or contribute Rate in respect of any property not in their actual occupation, or in respect of any interest equivalent to Profit-rent arising out of property occupied by them, may, in making Statements of their Claim to Vote, follow the Form A 1, or A 2, hereunto annexed^a, as the case may require; but any Statement which contains the particulars required by the 1st and 2nd Vic. c. 56, section 84^b, will be sufficient.

Claims to
Vote; and
Registers:
thereof.

ARTICLE 5.—Rate-payers in appointing Proxies, and Proxies in making Statements of their Claims to Vote, may follow the Forms marked B 1 and B 2, hereunto annexed^c; but any Statement which contains the particulars required by the 1st and 2nd Vic. c. 56, section 84^b, will be sufficient.

ARTICLE 6.—All such Statements of Rate-payers claiming to Vote, and Appointments and Statements of Proxies, shall be registered in Books to be kept for the purpose according to the Forms annexed to this Order, and marked C 1, C 2, or C 3, respectively^d, as the case may require; and the Clerk shall enter in such Books all such Statements and Appointments as may be given to the Guardians; and the Returning Officer shall Register therein all such Statements and Appointments received by him, and shall afterwards deposit the original Statements and Appointments with the Clerk, who shall carefully preserve all such Statements and Appointments as are received by him, together with the Registers thereof.

^a p. 552, 553.

^b p. 65.

^c p. 554, 555.

^d p. 555, 556.

ELECTION
ORDER:
26 JAN. 1852.

ARTICLE 7.—The Guardians and their Clerk shall permit the Returning Officer to have access, for the purposes of the Election of Guardians, at all reasonable times, to the Rates made for each Electoral Division of the Union, and to the Registers of Statements and Appointments heretofore required to be made, and hereinbefore required to be kept.

Revision of
Registers.

ARTICLE 8.—The Returning Officer, between the time of the receipt of this Order and the next Election of Guardians, and from time to time thereafter as occasion may arise, shall revise, amend, and perfect the several Registries of Claims, C 1, C 2, and C 3^a; and to this end, if he shall have reasonable cause to doubt the correctness of any claim to Vote, made by any person in respect of Rent received and retained by such person, he shall require such person to produce evidence of the amount of such Rent, to his satisfaction^b: and where such evidence shall have been given, he shall amend or affirm the entry of Net Annual Value of such Rent in the Register, according to his judgment; and shall record the same by a memorandum on the margin of the Register, dated and signed, making reference therein to the documents upon which his opinion is founded; and in every case in which evidence of the amount of the Rent shall not have been produced to his satisfaction, or in which he shall be satisfied that the claim to Vote is fictitious, or otherwise invalid, he shall record the fact, together with his opinion thereon, in like manner, as is above directed, by a memorandum on the margin of the Register, dated and signed, making reference therein to the documents, if any, on which his opinion is founded.

NOTICE OF ELECTION.

Notice of
Election.
25 February.

ARTICLE 9.—The Returning Officer shall, on the 25th day of February in every year, issue a Notice, according to the Form marked D, hereunto annexed^c; and shall cause Copies thereof to be posted at, on, or near the principal entrance of every Church and other house of Worship, and at every Court House,

^a p. 555, 556.

^b 6 & 7 Vic. c. 92, § 26, (p. 126.)

^c p. 557.

Police Station, Market House, and other usual place for posting Public Notices in the Union. He shall, moreover, transmit by Post, at the charge of the Union, a Copy of the Notice to each of the Justices of the Peace resident therein, and to each of the Justices qualified to be *ex-officio* Guardians of the Union.

ELECTION
ORDER:
26 JAN. 1852.

NOMINATION OF CANDIDATES.

ARTICLE 10.—Any person entitled, at the time of Nomination, to Vote in any Electoral Division of the Union, or in any Ward of an Electoral Division, may propose in the manner following, for the office of Guardian of such Division or Ward, himself, if legally qualified, or any other person or persons (not exceeding the number of Guardians to be elected for such Division or Ward), legally qualified^a to be elected for that office.

Nomination
of Candi-
dates.

ARTICLE 11.—Every Nomination shall be in writing in the Form marked E 1, or E 2, hereunto annexed^b, as the case may be, and shall be signed by the Rate-payer nominating, and shall be delivered to the Returning Officer, at such place as he shall appoint, or to such person as he may appoint to receive it, on any day from the date of the said Notice until the 4th day of March, both inclusive; but no Nomination delivered to the Returning Officer before the issue of such Notice, or after the hour of five o'clock in the afternoon of the said 4th day of March, shall be valid.

Time for re-
ceiving No-
minations;
25 Feb. (issue
of Notice,) to 4 March,
5 p.m.

ARTICLE 12.—The Returning Officer shall carefully preserve all Nomination Papers received by him; and on the receipt of each, shall mark thereon a number and date, according to the order and time of receipt of the same. He shall also compare each Nomination Paper with the Rate Book, or with the Registers of Statements and Appointments required to be kept; and, assisted by the respective Collec-
tors with their Collecting Books, shall ascertain

Proceedings
on Nomina-
tions.

Collectors.

^a The amount of the qualification may be ascertained at any time from the Clerk of the Guardians or Returning Officer in the case of any particular Union or Electoral Division, and is to be specified in the public Notice issued before each Election under article 9; (Form D, p. 557.) For amounts of Qualification at present fixed in the respective Unions, see Table in Part V.

^b p. 560, 561.

ELECTION
ORDER:
26 JAN. 1852.

whether the several persons named in each Nomination Paper are in all respects duly qualified to nominate or be elected for the office of Guardian respectively.

ARTICLE 13.—If any person put in nomination for the office of Guardian, shall, at any time previous to the preparation or signature of the List of Candidates as hereinafter directed^a, die or tender to the Officer conducting the Election of Guardians, his Refusal, in writing, to serve such office, the Returning Officer shall omit or strike out the name of such person from the List of Candidates.

LIST OF CANDIDATES.

ARTICLE 14.—The Returning Officer shall prepare and sign a List according to the Form marked F, hereunto annexed^b, of the several qualified Candidates duly nominated as aforesaid, and whose names have not been omitted or struck out under Article 13 up to the 8th of March, containing the names and residences of the Rate-payer or Rate-payers by whom they shall respectively have been proposed; but it shall not be necessary in any case to name in the List or in the Voting Papers hereinafter mentioned^c more than one Rate-payer as proposer of any Candidate.

ARTICLE 15.—The Returning Officer shall forward a Copy of such List on the 8th day of March, to the said Commissioners; and shall cause a Copy thereof to be laid before the Board of Guardians by the Clerk of the Union, at their first Meeting after the List is so completed and forwarded: and the Guardians for the Electoral Divisions and Wards of the Union shall be chosen from the Candidates, being duly nominated and qualified, whose names are contained in such List.

ARTICLE 16.—If the Candidates for an Electoral Division or Ward shall not exceed the number of Guardians to be elected for the Division or Ward, such Candidates (excepting those who may in writing decline to act^d) shall be deemed to be the Elected Guardians for such Division or Ward, and shall be

^a Article 14.

^b p. 561.

^c Article 18.

^d 6 & 7 Vic. c. 92, § 20 (p. 123).

List of Can-
didates.
8 March.

certified as such in the Return to be made by the Returning Officer, as hereinafter provided^a.

ELECTION
ORDER:
26 JAN. 1852.

CONTESTS.

ARTICLE 17.—When the number of qualified Candidates duly nominated for any Electoral Division or Ward, shall exceed the number of Guardians to be elected for any such Division or Ward, the Returning Officer shall thereupon forthwith prepare Lists according to the annexed Forms G 1 and G 2^b of the Rate-payers of such Division or Ward, and of Proxies appointed; in which Lists, the several particulars specified in such forms shall be so stated, as to show the total annual value of the several parcels of rateable property occupied by the same Rate-payer, or in respect of which the same Rate-payer shall have made a valid claim to vote, in such Electoral Division or Ward; also the total amount of Net Rents, or of Tithe Rent-charges, set forth in Statements received, or in Appointments of Proxies, following the latest decision of any Returning Officer for the time being, in every case which shall have been dealt with under the provisions of Article 8: and the List of Rate-payers making such Statements, and of Proxies, shall be made up to one calendar month preceding the first day^c herein appointed for collecting Votes.

Contests.
Lists of Rate-
payers.

VOTING PAPERS.

ARTICLE 18.—If at any time after the preparation and signature of the List of Candidates^d, and before the issue of Voting Papers as hereinafter directed^e, any of the persons put in Nomination shall tender to the Officer conducting the Election of Guardians, his or their refusal in writing to serve the office of Guardian^f, whereby the number of Candidates for any Electoral Division or Ward shall be reduced to or below the number of Guardians to be elected, then the remaining Candidates for such Division or Ward shall be certified, in the

Voting
Papers.

^a Article 34, 35 (p. 549).

^b p. 562.

^c Namely, 20th March; Article 27 (p. 546).

^d Article 14.

^e Article 20 (p. 544).

^f See § 20 of 6 & 7 Vic. c. 92, and note ^b thereon (p. 123).

ELECTION
ORDER:
26 JAN. 1852.

Voting
Papers.

Lists of
Voters for
Distributors
of Voting
Papers.

Return to be made as hereinafter provided^a, as Guardians, and it will not be necessary to issue Voting Papers in any such case; but where the number of Candidates shall still exceed the number of Guardians to be elected, the Returning Officer shall cause Voting Papers in the Form H 1, or H 2^b, as the case may require, to be printed for such Divisions or Wards; and he shall prepare Lists of the Voters for whom Papers are to be left by the persons who shall be employed to distribute them^c, in which Lists shall be stated the number of each Paper, and the name of the place at which it is to be left: and every Paper shall be folded and endorsed with its proper number: and the Voting Papers shall be arranged in parcels according to Townlands or Streets, or similar order, as far as practicable, and be delivered to the persons employed to distribute and collect the Papers, so arranged that they may distribute and collect them as nearly as possible in the order in which they receive them.

ARTICLE 19.—If at any time after the printing and before the issuing of the Voting Papers, any Person put in Nomination shall die or shall tender to the Officer conducting the Election of Guardians, his refusal in writing to serve the Office of Guardian^d, but the number of Candidates shall still exceed the number of Guardians to be elected, the Returning Officer shall, before issuing the Voting Papers, erase the name of such person therefrom, by drawing a line through such name in ink.

ARTICLE 20.—The Voting Papers shall be issued on the 18th day of March, and if the whole cannot be issued on that day, the remainder shall be issued on the following day: but it shall not be necessary to deliver Papers in any Electoral Division or Ward, for which the number of Candidates shall, before the said 18th day of March, be reduced to or below the number of Guardians to be elected; in which case, each remaining Candidate for such Division or

Issue of
Voting
Papers.

18 March:
19 March.

^a Articles 34, 35 (p. 549).

^b p. 563, 564.

^c Article 2 (p. 538): and see annual circulars to Returning Officers, paragraph 4, 5, (p. 575).

^d § 20 of 6 & 7 Vic. c. 92, and note ^b thereon (p. 123).

Ward, duly nominated and qualified, shall be certified in the Return^a as a Guardian.

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ORDER:
26 JAN. 1852.

ARTICLE 21.—Every Collector of Rates for any Electoral Division, or for any Ward thereof, in which a contest for the office of Guardian may occur, shall attend to assist the Returning Officer in issuing Voting Papers; and shall compare the list of Occupiers with his Collecting Books, and set a mark opposite to the name of every Occupier who shall have paid all Rates assessed on him, and against the name of every Occupier who shall have paid all such Rates, excepting such as may have been made within the six calendar months^b immediately preceding the first day^c appointed for issuing the Voting Papers; up to which day, if any Occupier shall tender payment of Rate due by him, the Collector shall receive the amount, and set a mark indicating payment of Rate opposite the name of such Occupier.

Collectors.

ARTICLE 22.—The Returning Officer shall cause one Voting Paper to be delivered by a person appointed for that purpose at the residence of every Occupier named in the List, according to Form G 1, specified in Article 17, who shall appear not to owe any Rate made six calendar months^b or more previously to the first day^c for issuing Voting Papers; and Voting Papers for all other Rate-payers and for Proxies, shall be delivered at the respective places appointed by them in the Electoral Division or Ward.

ARTICLE 23.—Every Rate-payer entitled to vote in more than one capacity in any Division or Ward shall be supplied with a Voting Paper for each capacity in which he is entitled to vote; and every Proxy shall receive a separate Voting Paper for each of the Rate-payers entitled to vote for whom he acts as Proxy, in respect of each Division or Ward in which they may be entitled to vote.

ARTICLE 24.—The Voter, whether he be the Proxy of a Rate-payer or not, shall place his own initials opposite the name of every Candidate for

Signature
of Voting
Papers.

^a Articles 24, 35 (p. 549).

^b § 85 of 1 & 2 Vic. c. 56 (p. 66).

^c Namely, 18th March; Article 20.

ELECTION
ORDER:
26 JAN. 1852.

whom he votes, and shall sign the Voting Paper ; and every Proxy shall also state thereon the name of the person for whom he is Proxy : but if the Voter cannot write, he may procure a person to write the Voter's name on the Paper, in full, and such person shall then write the Voter's initials opposite to the name of each Candidate for whom the Voter intends to vote, and afterwards affix his own signature to the Paper as witness to the mark of the Voter, which is to be affixed by the Voter to the paper in place of signature^a.

ARTICLE 25.—If the initials of a Voter shall be written against the names of more persons than are to be elected Guardians for the Electoral Division or Ward, or if he shall not sign or affix his mark to the Voting Paper, or if his mark shall not be duly attested, the Voting Paper shall not be included in the casting up of the Votes.

ARTICLE 26.—No person, not being a Proxy or an Officer of a Corporation or Company duly appointed to vote^b, shall vote in the name of any other person.

ARTICLE 27.—On the 20th day of March, and if necessary on the following day, the Returning Officer shall cause the Voting Papers to be collected, but in no case, (excepting that provided for in Article 41,) shall a Voting Paper be allowed to remain more than one clear day with the Voter : and the persons employed in collecting the Voting Papers^c shall not examine or permit any person to have access to such papers while in their charge ; and on completing the collection in any Electoral Division or Ward, they shall arrange the Voting Papers according to the numbers endorsed thereupon, in pursuance of Article 18, and enclose them in a parcel, which shall thereupon be delivered by one of the persons so employed in each Division or Ward, to the Returning Officer, as nearly as possible in the same order as that in which the Voting Papers had been received from him.

ARTICLE 28.—Every person entitled to vote, who shall not on the 18th or 19th day of March have

^a 1 & 2 Vic. c. 56, § 83 (p. 64).

^b 1 & 2 Vic. c. 56, § 84, 86 (p. 65).

^c Article 2 (p. 538).

Collection
of Voting
Papers.
20 March:
21 March.

received a Voting Paper, as aforesaid, shall, on application in person to the Returning Officer, on the days appointed for the collection^a of the Voting Papers, and between the hours of Ten in the forenoon and Five in the afternoon, be entitled to receive a Voting Paper, and to fill up the same in the presence of the Returning Officer, and then and there to deliver the same to him.

ELECTION
ORDER:
26 JAN. 1852.

ARTICLE 29.—Any person who shall not, on the 18th or 19th day of March, have received a Voting Paper, as aforesaid, by reason of his not having paid any Poor-rate made and assessed upon him six calendar months^b or more before the first day^c appointed for the issue of Voting Papers, shall nevertheless, if he pay all such Rate on any of the days appointed for the distribution and collection^d of Voting Papers, be entitled to receive a Voting Paper and to vote in manner provided in Article 28, on personal application to the Returning Officer within the time therein mentioned, and on producing to him the Collector's receipt for the full amount of such Rate.

ARTICLE 30.—If in any case a Voting Paper duly issued, shall not have been collected through the default of any of the persons employed by the Returning Officer for the purpose, the Voter may in person deliver the Paper to the Returning Officer on the day immediately following the last day appointed for the collection^e of Voting Papers, and between the hours of Ten in the forenoon and Five in the afternoon.

ARTICLE 31.—The Returning Officer shall attend from the hour of Ten in the forenoon until the hour of Five in the afternoon, at the Board-room of the Workhouse, or other place appointed for the conduct of the Election and named in his Notice of the Election, on the several days on which Voting Papers may be issued and filled up and delivered in his presence, as provided in Articles 28, 29, and 30 of this Order; and on all such other days as may

Attendance
of Returning
Officer
during the
Election.

^a Namely, March 20, 21; Article 27.

^b 1 & 2 Vic. c. 56, § 85 (p. 66). ^c 18th March; Article 20.

^d i.e. March 18 to 21 inclusive; Articles 20, 27.

^e 21st March; Article 27.

ELECTION
ORDER:
26 JAN. 1852.

be necessary for the due conduct of the Election in conformity with this Order^a.

ARTICLE 32.—If at any time after the issuing of the Voting Papers shall have commenced, and before the making of the Return hereinafter^b directed, any person put in nomination for the office of Guardian in any Electoral Division or Ward, shall die or tender to the Returning Officer conducting the Election of Guardians his refusal in writing to serve^c such office, the Votes which may be given for such person shall not be cast up, or continue to be cast up, as the case may be; and the Votes so given for such person will be lost: and if the number of Candidates for any Electoral Division or Ward shall thereby be reduced to or below the number of Guardians to be elected, the remaining Candidates for such Division or Ward, duly nominated and qualified, shall be certified in the Return as Guardians; but if the number of such remaining Candidates shall still exceed the number of Guardians to be elected, the Returning Officer shall proceed in the Election as hereinafter directed.

RETURN OF GUARDIANS.

Examination
and casting
up of Votes.

Collectors

ARTICLE 33.—When the collection of the Voting Papers shall have been completed, the Returning Officer shall attend at the Board-room of the Guardians of the Union, and shall, assisted by the Collectors of Poor-rates, ascertain the validity of the Votes, and shall register the valid Votes duly given for each remaining Candidate, opposite to the name of each Rate-payer or Proxy; after which he shall cast up the Votes so registered, and ascertain and register the total number of such Votes for each Candidate. The Candidate or Candidates, to the number of Guardians to be elected for the Electoral Division or Ward, who shall have obtained the greatest number of Votes, shall be deemed to be the elected Guardian or Guardians for such Division or Ward.

ARTICLE 34.—The Returning Officer shall, on

^a And see Circulars of Instructions to Returning Officers, paragraph 20, (p. 582, 592.)

^b Articles 34, 35.

^c 6 & 7 Vic. c. 92, § 20, and note ^b thereon (p. 123).

the 25th day of March^a, make a true Return to the said Commissioners, in writing under his hand and seal, in the Form marked J, hereto annexed^b, of the names of every Electoral Division and Ward of the Union, and the names of all the Candidates who shall have been duly nominated, together with (in the case of a contest) the number of Votes given for each, and the names of the persons elected as Guardians; and in case there shall have been no Candidate, or in case the number of Candidates shall have been less than the number of Guardians to be elected for any Electoral Division or Ward, or in case any of the Candidates shall have died or refused to serve, the fact shall be so stated in the Return opposite to the name of such Division or Ward.

ELECTION
ORDER:
26 JAN. 1852.

Return of
Guardians:
to be made
25 March;

ARTICLE 35.—If the examination of Votes collected cannot be completed as aforesaid, on or before the 25th day of March, the Returning Officer shall forthwith proceed to complete the examination, and shall make a Return of the Election to the said Commissioners on one of the fourteen days^a (not being a Sunday) next following the said 25th day of March.

or within
14 days after
25 March.

ARTICLE 36.—When the Return of the Election shall have been made to the Commissioners, the Returning Officer shall forthwith lay before the Board of Guardians, or deliver to the Clerk of the Union to be laid before the Board of Guardians, a certified copy of such Return: and the Clerk of the Union shall immediately on such Return of any Annual Election of Guardians for a Union being made, or on receipt of the certified copy thereof, forward to every member of the outgoing Board of Guardians, whether he shall have been re-elected or not, and including the *ex-officio* Guardians, a Notice, in the annexed Form K^c, containing a List of the Electoral Divisions and Wards in the Union, and of the names and addresses of the Guardians elected and returned for the same respectively^d.

Notices to
Guardians,
after Elec-
tion.

^a 1 & 2 Vic. c. 56. § 20 (p. 14).

^b p. 565.

^c p. 566.

^d The out-going Guardians, not re-elected, will thus be apprised of the fact: see § 20, 21 of 1 & 2 Vic. c. 56 (p. 15). To those elected, a notice is to be sent under Article 37.

ELECTION
ORDER:
26 JAN. 1852.

ARTICLE 37.—The Clerk of the Union shall also notify to each person returned as elected at any Election of Guardians, the fact of his having been so elected, by delivering or sending, or causing to be delivered or sent to him, a Notice in the Form L^a, hereunto annexed.

PRESERVATION OF PAPERS.

Preservation
of Election
Papers.

ARTICLE 38.—Within seven days after the Return of the Election shall have been made, all papers relating to the Election shall be deposited with and remain in the custody of the Clerk to the Board of Guardians, by whom they shall be preserved; and no person shall inspect such Papers without a resolution of the Board of Guardians authorizing him to inspect the same.

EXPENSES OF ELECTION.

Expenses of
Election.

ARTICLE 39.—The Guardians shall pay to the Returning Officer for the conduct and management of the Election generally, such reasonable remuneration as the said Commissioners may allow^b; and such remuneration, together with the cost of providing the requisite supplies of the several Forms hereunto annexed, (with the exception of the Voting Papers, Forms H 1 and H 2^c,) shall be defrayed by the Guardians out of the common fund of the said Union^d.

ARTICLE 40.—The Guardians shall pay to the Collectors of Poor-rates, and to the persons appointed to distribute and collect the Voting Papers^e, or to assist the Returning Officer in preparing Lists of Voters^f, for the duties arising out of any contested Election, such reasonable remuneration as may be allowed by the said Commissioners; and such remuneration, together with the cost of providing

^a p. 566.

^b See Circular of 10 Feb. 1852, addressed to Chairman of Board of Guardians, as to mode of payment of remuneration of the Returning Officer, (No. 9, p. 606.)

^c See Article 40; Forms H 1 & 2 charged to Electoral Divisions.

^d Instructions to Returning Officer as to Expenses of Election, and Form of Account (No. 6—8, p. 600-606).

^e Article 2 (p. 538.)

^f Articles 17, 18, (p. 543, 544.)

Voting Papers, where required, in the Forms marked H 1 and H 2, shall be defrayed by the Guardians, and charged to the Electoral Divisions in respect of which such expenses may be incurred; and where any expenses under this Article shall be incurred in respect of any two or more Electoral Divisions combined for the election of one Guardian^a such expenses shall be charged in equal proportions to the Divisions so combined.

ELECTION
ORDER:
26 JAN. 1852.

SUNDAYS AND GOOD FRIDAY.

ARTICLE 41.—Whenever the day appointed in this Order for the performance of any act, shall be a Sunday or Good Friday, such act shall be performed on the day next following.

DISTRICTS OF DIVISIONS.

ARTICLE 42.—Wherever two or more Electoral Divisions shall have been combined into a District for the Election of one Guardian for such District^a, all the provisions in this Order contained, which apply to a single Electoral Division having a separate Guardian or Guardians, shall apply to such District of Electoral Divisions in like manner as if it were a single Electoral Division.

Districts of
Electoral
Divisions.

VACANCIES: SUPPLEMENTAL ELECTIONS.

ARTICLE 43.—In case any Election of a Guardian or Guardians, other than the Annual Election, shall be ordered by the said Commissioners, for the purpose of supplying a vacancy or vacancies in the office of Guardian for any part of a Union, such Election shall be held at such time, and the several proceedings therein shall be taken on such dates, as may be fixed by any Order issued by the Commissioners in that behalf; and such Election shall be conducted in accordance with the Regulations in this Order contained, subject to the directions that may be contained in the Order for such Election.

Supplemental
Elections
to supply
Vacancies.

^a Under § 3 of 12 & 13 Vic. c. 104 (p. 191.)

FORM B 2^a.—Application of Proxy thereupon.

To the Board of Guardians [*or to the Returning Officer*] of the _____ Union.

I, _____, of _____, having been appointed by _____, of _____, to vote in the Election of Guardians as his proxy, under the provisions of the 1st and 2nd Victoria, c. 56, in respect of property situate within the [_____ Electoral Division of _____ Union (*d*)] do hereby claim to be entitled to vote as such proxy. I hereby transmit to you such my appointment, signed by the said _____, setting forth the particulars required by law, of the property in respect of which the said _____ is entitled to vote, and in respect of which I do hereby claim to vote as his proxy; and I appoint as the place at which a voting paper for me may be left and called for, the house (*e*) _____ Given this _____ day of _____ 18____, _____ (*Signature of Proxy*). _____ (*Address*).

(*d*) Or the _____ Ward of the _____ Electoral Division of _____ Union. (*e*) Give the name of the House, if not in a Town; in all other cases the name of the Street, and the number of the House, or some certain reference to it. The house must be in the Division or Ward for which the claim to vote is made.

FORMS C 1, 2, & 3^b.

FORM C 1^b.—Register of Claims to vote in the Election of Guardians, in respect of Property in actual Occupation of the Party Claiming*. _____ Union. _____ Electoral Division.

No.	Date on which received.	Name and Address of Occupier.	Situation of Property.		Description of Property.	Net Annual Value of Interest, or of the Property if occupied by a Corporation or Joint Stock Company.		No. of Votes.	Place at which Voting Paper is to be left.	Officers appointed to Vote for Corporations or Joint Stock Companies.
			Parish.	Ward, if any.	Townland or Street, if in a Town, with No. of House, if any.	£	s. d.			

* Statements of Claim, according to Form A 1, are to be registered in this Book.

^a Article 5, p. 539.

^b Article 6, p. 539.

Form C 2^a.—Register of Statements of Claim to vote in Person in the Election of Guardians, made by Landlords entitled to Rents exceeding the Rents payable for the same Property, or by Owners of Tithe Rent-charges.*
____ Union. _____ Electoral Division.

No.	Date on which received.	Name and Address of Landlord, or Owner of Tithe Rent-charge.			Situation of Property.		Description of Property.	Annual Amount of Net Rents, or of Net Tithe Rent-charge.			No. of Votes.	Place at which Voting Paper is to be left.	Officers appointed to Vote for Corporations or Joint Stock Companies.
		Parish.	Ward, if any.	Townland or Street, if in a Town, with No. of House, if any.				£	s.	d.			

* Statements of Claim, according to Form A 2, are to be registered in this Book.

Form C 3^a.—Register of Appointment of Proxies who have delivered Applications to Vote in respect of Landlord's Net Rent, or of Tithe Rent-charges†.
____ Union. _____ Electoral Division.

No.	Date on which received.	Name and Address of Landlord, or Owner of Tithe Rent-charge.	Name and Address of Proxy.	Situation of Property.			Description of Property.	Annual Amount of Net Rents, or Net Tithe Rent-charge.			No. of Votes.	Place at which Voting Paper is to be left.
				Parish.	Ward, if any.	Townland or Street, if in a Town, with No. of House, if any.		£	s.	d.		

* Article 6, p. 539.

† Forms B 1 & 2.

FORM D^a.—Notice.ELECTION
ORDER:
26 JAN. 1852:

— UNION.

Election of Guardians for the Year ending 25th
March, 185 .Form D:
Notice of
Election.

I, ——— Returning Officer of the ——— Union, do hereby give Notice, that an Election of Guardians of the Poor of the above Union is to take place as follows:—

1. The number of Guardians of the Poor to be elected for the Electoral Divisions [and Wards, *where divided into Wards,*] in the said Union is as follows:—

For the Electoral Division of , Guardians;
[*The Names of the Electoral Divisions, and Wards where any Electoral Division is subdivided into Wards, and the Number of Guardians, to be here inserted, as well as the amount of Qualification^b where it is different for different Divisions of the Union.*]

2. Any male person of full age, not expressly disqualified by Law, who is entitled, under the provisions of the Acts for the Relief of the Destitute Poor in Ireland, to vote at Elections of Guardians, in the said Union, and who shall have been liable under the last made Rate, to pay or contribute Rate in respect of property of the net annual value of not less than [Pounds, *or the amounts above stated respectively,*] in his occupation within the said Union, or who is entitled to vote in respect of net rent payable to his receipt in the said Union, of that amount, or who is entitled to vote in respect of Tithe Rent-charge payable to his receipt from property within the Union, of that amount, will be eligible as a Guardian for any Electoral Division [or Ward or District of Electoral Divisions, *as the case may be*] in the said Union. But no person being in Holy Orders, or being a regular Minister of any religious denomination, is eligible as a Guardian; and no person who has been convicted of felony, fraud, or perjury,—and no person who has been adjudged to be liable to any forfeiture for having provided, furnished, or supplied for his own profit any materials, goods, or provisions for the use of any Workhouse, or for having been concerned in furnishing or supplying the same, or in any Contract relating thereto,—is capable of being elected or appointed or of acting as a Guardian.

^a Article 9, p. 549.

^b The amount of qualification has been fixed by separate orders for the respective Unions, and may be varied from time to time. The amount of the qualification may be ascertained at any time from the Clerk of the Guardians or Returning Officer in the case of any particular Union or Electoral Division, and is to be specified in this Notice, which is to be issued before each Election, under Article 9 of the Election Order (p. 540). For qualifications at present fixed, see Table (Part V).

ELECTION
ORDER:
26 JAN. 1852.

Form D:
Notice of
Election.

3. Any person who has been a Guardian for any year is re-eligible for the ensuing or any subsequent year, provided he possesses the qualification prescribed and is duly nominated; and the same person may be elected Guardian for more than one Electoral Division.

4. No Occupier will be entitled to nominate, be nominated, or vote, in respect of any property for which he shall be liable to pay Rent to any Landlord, unless at the time of nomination or voting, respectively, he shall have paid all the Poor-rates previously made and assessed upon him in the Union, except such as shall have been made or become due within the six calendar months immediately preceding the time appointed for voting.

5. No Rate-payer will be entitled to vote, in respect of any property not in his actual occupation, or in respect of any interest equivalent to profit Rent arising out of property occupied by him, unless he shall, one calendar month at the least previous to the first day hereinafter named for collecting Votes, have delivered to the Board of Guardians of the Union, or to the person acting for the time being as Returning Officer, a statement in writing of his name and address, with a description of the property in respect of which he claims to be entitled to vote, and of his interest therein.

6. Any Rate-payer in respect of property not in his actual occupation, may, by writing under his hand, appoint any person to vote as his Proxy; but such Proxy must, one calendar month previous to the day on which he shall claim to vote, have given to the Board of Guardians or the Returning Officer, a statement in writing of his own name and address, and also the name and address of the Rate-payer appointing him such Proxy, and a description of the property in respect of which he claims to vote as Proxy; and also an original or attested copy of the writing appointing him such Proxy.

7. Nominations of Guardians for any Electoral Division [or Ward or District.] must be made by Rate-payers entitled to vote in the Division, [Ward or District,] according to the form prescribed by the Poor Law Commissioners, printed copies of which form may be had on application to me; and such nominations will be received by me at _____, and will be receivable on and after the date of this Notice, up to the hour of Five o'clock in the afternoon of the 4th day of March next; but no nomination received after that time, or before the issue of this Notice, will be valid.

8. If any person put in nomination for the Office of Guardian in any Electoral Division [or Ward or District of Electoral Divisions, *as the case may be*] shall tender to the Returning Officer his refusal, in writing, to serve such office, the Election of such person is to be no further proceeded with for such Division [or Ward or District]; and such writing will be received by me at the place above named.

9. If more than the above mentioned number of Guardians be duly nominated for any Electoral Division, [or Ward or District] I shall cause Voting Papers to be delivered on the 18th day of March, and if necessary on the following day, to the address in the Electoral Division, [or Ward or District] of each Rate-payer and Proxy qualified to vote, which Voting Papers will contain full instructions as to the mode of voting; and on the 20th day of March, and if necessary on the following day, I shall cause such Voting Papers to be collected.

ELECTION
ORDER:
26 JAN. 1852.

Form D:
Notice of
Election.

10. On the 20th day of March and following days, I shall attend in the Board-room of the said Union, at the hour of 10 o'clock in the forenoon; and I shall thereafter proceed to ascertain the number of Votes given for each Candidate.

11. Every person entitled to vote, who shall not have received a Voting Paper, on either of the days appointed for delivering the same, may on application in person to the Returning Officer, on the days appointed for the collection of the Voting Papers, receive a Voting Paper, and fill up the same in the presence of the Returning Officer, and then and there deliver the same to him. And if in any case a Voting Paper duly issued shall not have been collected on the proper days, through the default of any of the persons employed by the Returning Officer for the collection of Voting Papers, the Voter may in person deliver the paper to the Returning Officer on or before the 22nd day of March.

12. If any person knowingly and fraudulently, and with the intent of giving a greater number of Votes than he is by law entitled to give, tender or forward to the Returning Officer a false Statement of the grounds on which he claims to vote or to give additional votes; or forge, falsify, or knowingly or fraudulently alter after signature, any Paper containing a statement of Claim to Vote, Proxy, Nomination, or Vote for the Election of Guardians, or Refusal to serve the Office of Guardian; or conspire to forge, falsify, or so alter any such Paper; or knowingly tender or forward to the proper Officer any such Paper, forged, falsified or so altered as aforesaid; or wilfully suppress, carry off, destroy, or deface any Statement of Claim to Vote, Proxy, or Nomination of a Candidate for the Office of Guardian, after the same has been duly signed: or in like manner suppress, carry off, destroy, or deface any Voting Paper, after the same has been issued by the Returning Officer; the person so offending is liable to a penalty of Ten Pounds, recoverable by distress and sale of the offender's goods, or to Imprisonment for Three Months, on complaint and conviction before two Justices of the Peace.

(*Name of Returning Officer*) ———,

Returning Officer for the ——— Union.

—th February, 185—.

FORMS E 1 & 2^a.FORM E 1^a.—Nomination Paper for [an Electoral Division or a District of Electoral Divisions.]

To the Returning Officer of the (a) Union.

Name of the Person or Persons nominated to be Guardian or Guardians.	Residence of the Person or Persons nominated.	Quality or Calling of the Person or Persons nominated.

(I, b) ———, being a rate-payer entitled to vote in the (c) ——— Electoral Division of the (d) ——— Union, nominate the above-named (e) ——— to be Guardian (f) for the (g) ——— day of ——— 18—.

(Signature*) ——— (Residence of Nominator) ———, in the Parish of ———.

* If the Nominator cannot write, he must make his Mark in place of Signature on the Paper, which may be filled up and signed with his Name by another person, who is to attest the same with his Signature, as Witness, thus:—

his
Patrick X O'Brien.
mark.

Witness, Denis Leary.

(a) Enter name of Union. (b) Name of Person nominating. (c) Name the Electoral Division. (d) Name the Union. (e) Name Person or Persons nominated. (f) Or Guardians. (g) Insert the words "said Electoral Division;" or if the Division be combined with another or others, as a District, insert the words "District comprising the Electoral Divisions of", stating the names of all the Divisions included in the District for which the nomination is made, as set forth in the Notice (Form D) of the Election.

* Article 11, p. 541.

FORM E 2^a.—Nomination Paper for a Ward. To the Returning Officer of the (a)

Union.

Name of the Person or Persons nominated to be Guardian or Guardians.	Residence of the Person or Persons nominated.	Quality or Calling of the Person or Persons nominated.
--	---	--

I, (b) —, being a rate-payer entitled to vote in the (c) — Ward of the (d) — Electoral Division of the (e) — Union, nominate the above-named (f) — to be Guardian (g) for the said Ward, this — day of — 18—. (Residence of Nominator) —, in the Parish of —.

* If the Nominator cannot write, he must make his Mark in place of Signature on the Paper, which may be filled up and signed with his Name by another person, who is to attest the same with his Signature, as Witness, thus:—

Patrick X O'Brien.
his mark.

Witness, Denis Leary.

(a) Enter name of Union. (b) Name of Person nominating. (c) Name the Ward. (d) Name the Electoral Division. (e) Name the Union. (f) Name Person or Persons nominated. (g) Or Guardians.

FORM F^b.

Union.

List of Qualified Candidates duly nominated for the Office of Guardian of the Poor, in the Union,
for the Year ending 25th March, 185 .

Electoral Divisions,	Wards.	Number of Guardians to be elected.	Name of each Person nominated.	Residence.	Quality or Calling of each Candidate proposed.	Nominators.

I certify that the above is a true list of qualified persons duly nominated for the office of Guardian, for the year ending the 25th March, 185—, in the above Union.—Dated this 8th day of March 185—. (Signature) —, Returning Officer.

^a Article 11, p. 541.

^b Articles 14, 15, p. 542.

FORMS G 1 & 2^a.

FORM G 1^a.—List of Occupiers who, according to the Rate last made in the Electoral Division, are entitled to Vote for Guardians of the Division or Ward above-named.

_____ Union. _____ Electoral Division. _____ Ward.

Situation of the Property.		Occupiers.	Places of abode in the Division [or Ward] at which Voting Papers are to be left.	Aggregate Amount of the Net Annual Value of Property, with respect to which each Rate-payer is entitled to vote as Occupier.			Number of Votes to which each Person is entitled (a).	Record of Votes for each Candidate.			
Parish.	Townland or Street.			£	s.	d.					

(a) When the occupier is also owner, not liable to pay any rent, the number of votes in respect of the annual value is to be doubled, provided he has duly made a statement of claim, in pursuance of 1 & 2 Vic., c. 56, sec. 84, and 6 & 7 Vic., c. 92, sec. 24.

FORM G 2^a.—List of Landlords entitled to Net Rents, Owners of Tithe Rent-charge, and Occupiers, by whom Statements have been made; also of Proxies appointed to Vote for Landlords and for Owners of Tithe Rent-charge.

_____ Union. _____ Electoral Division. _____ Ward.

Occupiers, Landlords, and Owners of Tithe Rent-charge, whether Individuals, Corporations, or Joint Stock Companies.	Proxies.	Officers appointed to Vote for Corporations or Joint Stock Companies.	Places at which Voting Papers are to be left.	Aggregate Amount of Net Rents, or Net Tithe Rent-charges, in respect of which Votes may be given in the Ward, or Division (b).			No. of Votes.	Record of Votes for each Candidate			
				£	s.	d.					

(b) This column the Returning Officer will make up from the money columns in Forms A and B, and the Registers C. Article 17, p. 543: Articles 22, 23, p. 545.

Union.

Initials of the Voter against the Name of the Person (c) for whom he intends to Vote.	Names of Persons nominated as Candidates for the office of Guardian.	Residence of each Person nominated.	Quality or Calling of each Person nominated.	Name of Nominator of each Candidate.	Residence of Nominator.

(a) Or District of the Electoral Divisions of (naming them) as the case may be. (b) Insert number to be elected for the Division. (c) Or Persons.
(d) Or District, as the case may be. Article 18, p. 544: Articles 39, 40, p. 550.

Form H 2^a.—Voting Paper for Wards.
Ward of the _____ Electoral Division.
Voting Paper for (a) _____ [Guardian or Guardians, as the case may be.]

_____ Union.

[No.—.]

Initials of the Voter against the Names of the Person (b) for whom he intends to Vote.	Names of Persons nominated as Candidates for the office of Guardian.	Residence of each Person nominated.	Quality or Calling of each Person nominated.	Name of Nominator of each Candidate.	Residence of Nominator.

I vote for the person (or persons) in the above List, against whose name (or names) my initials are placed.

(Signature or Mark of Voter) _____, (Residence of Voter) _____.

If the Voter cannot write, he must make his Mark, and his Name must be written in full by a Witness, whose Signature must follow, and by whom the Voter's Initials must be placed opposite to the names of the Candidates for whom the Voter intends to vote. Where the Voter cannot write, and the

Voting Paper is signed by a Mark, the place for the Signature should be filled thus:— Michael X Murdock. Witness, Lawrence M'Cormick.
mark.

When a Proxy votes, he is to state, under his Signature, for whom he is Proxy, as:—David O'Callaghan for Timothy Geoghegan.

If Initials be placed opposite to the Names of *more Candidates* than the *Number of Guardians to be elected* for the Ward, or if the Voting Paper be not signed, or be not attested when attestation is required, the Votes will be lost.

This Paper must be carefully preserved, as a second cannot in any case be issued; and it must be ready for delivery to the Collector of Votes who will leave it, and who will call for it on the day next but one after it is left. If the Voting Paper be not ready for the Collector when he so calls for it, the Vote will be lost.

NO OTHER PERSON THAN THE COLLECTOR OF VOTES IS TO RECEIVE THE PAPER; and if tendered to the Collector at any other place than the house at which it was left by him, it must be rejected.

No other Voting Paper than that issued by the Returning Officer can be received by him.

If any person shall knowingly and fraudulently, and with the intent of giving a greater number of Votes than he is by Law entitled to give, tender or forward to the Returning Officer a false Statement of the grounds on which he claims to vote or give additional Votes, or shall forge, falsify, or knowingly and fraudulently alter, after Signature, any paper containing a Statement of Claim to vote, Proxy, Nomination, or Vote for the Election of Guardians, or Refusal to serve the Office of Guardian, or shall conspire to forge, falsify, or so alter any such Paper, or shall knowingly tender or forward to the proper Officer any such Paper forged, falsified, or so altered as aforesaid, or shall wilfully suppress, carry off, destroy, or deface any Statement of Claim to vote, Proxy, or Nomination of a Candidate for the Office of Guardian, after the same shall be duly signed, or shall in like manner suppress, carry off, destroy, or deface any Voting Paper after the same shall have been issued by the Returning Officer; the person so offending is liable to a Penalty of Ten Pounds recoverable by distress and sale of the offender's goods, or to Imprisonment for Three Months, on complaint and conviction before two Justices of the Peace.—(6 & 7 Vic., c. 92, sec. 25, and 14 & 15 Vic., c. 93, sec. 22.)

(a) Insert number to be elected for the Ward.

(b) Or Persons.

* Article 18, p. 544 : Articles 39, 40, p. 550.

FORM J^a.

____ Union.

Election of Guardians of the Poor in the _____ Union, for the Year ending 25th day of
March, 185 .

Return of the Election, to the Commissioners for administering the Laws for Relief of the Poor in Ireland, pursuant to the Acts of 1 & 2 Vic., c. 56, sec. 88, and 10 & 11 Vic., c. 90.

I do hereby certify, that I caused a Notice of the Election to be published in the manner required by the Order of the Commissioners; that the Election was conducted in conformity to the said Order; and that the entries contained in the Schedule hereunder are true.

Electoral Divisions and Wards thereof.	No. of Guardians to be elected for each.	Candidates duly nominated.	No. of Votes given for each Candidate.	Guardians elected.	Residence of each Guardian.

Given under my Hand and Seal, this ____ day of ____ 18__.

(Signature and Seal of) _____, Returning Officer.
* Article 34, p. 549.

FORM K^a.

Notice to be sent to each Member of the Out-going Board of Guardians, on the Return of the Annual Election being made.

_____ Union.

Sir,—In pursuance of the provision contained in the Act 1 & 2 Vic., c. 56, that immediately upon the annual Election of Guardians in any Union in Ireland being completed, the Guardians previously elected shall go out of office, unless re-elected, and of the regulations for the conduct of the annual Elections of Guardians, I do hereby give you notice, that the Election of Guardians for the _____ Union for the year ending 25th March next, has been completed, and a return, dated _____ inst., has been made by the Returning Officer; and annexed hereto is a list of the Electoral Divisions [and Wards, *as the case may be*,] in the Union, and of the Guardians who have been elected and returned for the same, for the said year.

Name of each Electoral Division in the Union.	Name of each Ward.	Name of each Guardian Elected and Returned.	Residence of such Guardian.

Dated at _____, this _____ day of March, 185—.

(Signature) _____ Clerk of _____ Union.

FORM L^b.

Notice to the Guardians Elected.

Sir,—In pursuance of an Order of the Poor Law Commissioners, I do hereby give you notice, that on the _____th day of _____, 18—, you were returned as having been duly elected a Guardian of the Poor for [the _____ Electoral Division, or the _____ Ward of the _____ Electoral Division, or the District comprising the Electoral Divisions of _____, *as the case may be*], in the _____ Union, for the year ending 25th March, 18—.

The next Meeting of the Board of Guardians will be held on _____ day of _____, 18—, at _____ o'clock.

Signed this _____ day of _____ 18—.

(Signature) _____ Clerk to the Guardians of the Poor of the _____ Union.

^b Article 37, p. 550.

^a Article 36, p. 549.

To _____

SCHEDULE

ELECTION
ORDER:
26 JAN. 1852.

Containing the Names of the Unions to which the foregoing Order applies^a.

Abbeyleix,	Clonmel,	Larne,
Antrim,	Coleraine,	Letterkenny,
Ardee,	Cookstown,	Limerick,
Armagh,	Cootehill,	Lisburn,
Athlone,	Cork,	Lismore,
Athy,	Corrofin,	Lisnaskea,
Bailieborough,	Croom,	Listowel,
Ballina,	Dingle,	Londonderry,
Ballinasloe,	Donaghmore,	Longford,
Ballinrobe,	Donegal,	Loughrea,
Ballycastle,	Downpatrick,	Lowtherstown,
Ballymahon,	Drogheda,	Lurgan,
Ballymena,	Dromore, West,	Macroom,
Ballymoney,	Dublin, North,	Magherafelt,
Ballyshannon,	Dublin, South,	Mallow,
Ballyvaghan,	Dundalk,	Manorhamilton,
Balrothery,	Dunfanaghy,	Midleton,
Baltinglass,	Dungannon,	Milford,
Banbridge,	Dungarvan,	Millstreet,
Bandon,	Dunmanway,	Mitchelstown,
Bantry,	Dunshaughlin,	Mohill,
Bawnboy,	Edenderry,	Monaghan,
Belfast,	Ennis,	Mountbellew,
Belmullet,	Enniscorthy,	Mountmelick,
Borrisokane,	Enniskillen,	Mullingar,
Boyle,	Ennistymon,	Naas,
Cahiriveen,	Fermoy,	Navan,
Callan,	Galway,	Nenagh,
Carlow,	Glennamaddy,	Newcastle,
Carrickmacross,	Glenties,	Newport,
Carrick-on-Shannon,	Glin,	New Ross,
Carrick-on-Suir,	Gorey,	Newry,
Cashel,	Gort,	Newtownards,
Castlebar,	Gortin,	Newtownlimavady,
Castleblayney,	Granard,	Oldcastle,
Castlecomer,	Inishowen,	Omagh,
Castlederg,	Kanturk,	Oughterard,
Castlerea,	Kells,	Parsonstown,
Castletown,	Kenmare,	Portumna,
Castletowndelvin,	Kilkeel,	Rathdown,
Cavan,	Kilkenny,	Rathdrum,
Celbridge,	Killadysert,	Rathkeale,
Claremorris,	Killala,	Roscommon,
Clifden,	Killarney,	Roscrea,
Clogheen,	KilmacThomas,	Scariff,
Clogher,	Kilmallock,	Shillelagh,
Clonakilty,	Kilrush,	Skibbereen,
Clones,	Kinsale,	Skull,

^a Namely, all the Unions in Ireland: but see note b in p. 538, and note a in p. 541.

ELECTION
ORDER:
26 JAN. 1852.

Sligo,
Strabane,
Stranorlar,
Strokestown,
Swineford,
Thomastown,
Thurles,

Tipperary,
Tobercurry,
Tralee,
Trim,
Tuam,
Tulla,

Tullamore,
Urlingford,
Waterford,
Westport,
Wexford,
Youghal.

(L.S.) Sealed with our Seal, this Twenty-Sixth
Day of January, in the Year of our Lord
One Thousand Eight Hundred and Fifty-
Two.

(Signed,)

A. POWER,
WM. M. SOMERVILLE,
T. N. REDINGTON,
J. M'DONNELL, M.D.

CLARENDON.

I, GEORGE WILLIAM FREDERICK, EARL of CLARENDON, Lord Lieutenant-General and General Governor of Ireland, do approve this Order.

By His Excellency's Command,

T. N. REDINGTON.

REMARKS
appended to
Election
Order.

The following REMARKS are added by the Commissioners, for the Guidance of the Returning Officer, and are not to be deemed part of the foregoing Order :—

QUALIFICATION OF GUARDIANS.

1. Any Male Person of Full Age, not expressly disqualified by law, who is entitled under the provisions of the Acts for the Relief of the destitute Poor in Ireland, to vote at Elections of Guardians in the Union, and who shall have been liable under the last made Rate, to pay or contribute Rate in respect of property in his Occupation within the said Union, of the net annual value of not less than the amount fixed by the Commissioners by any Order in force for the time being^a, or who shall be entitled to vote in respect of net rent payable to his receipt

^a As to amount of Qualification, see note ^b in p. 557, and Table (Part V.)

in the said Union, of that amount, or who shall be entitled to vote in respect of Tithe Rent-charge payable to his receipt from property within the Union of that amount, is eligible as a Guardian for any of the Electoral Divisions or Wards (as the case may be) of the said Union, provided that the value of the property in respect of which he is so entitled to vote in the Union, be not less than the amount fixed by the Commissioners for the qualification for the Division or Ward for which he may be elected. But no person being in Holy Orders, or being a regular Minister of any religious denomination, is eligible as a Guardian.—(1 & 2 *Vic. c. 56, sec. 19, and 12 & 13 Vic. c. 104, sec. 6.*)

REMARKS
appended to
Election
Order.

2. No person who has been convicted of Felony, Fraud, or Perjury, nor any person who has been adjudged to be liable to any forfeiture for having provided, furnished, or supplied for his own profit any Materials, Goods, or Provisions for the use of any Workhouse, or for having been concerned in furnishing or supplying the same, or in any Contract relating thereto, is capable of being elected or of acting as a Guardian.—(6 & 7 *Vic. c. 92, sec. 22.*)

3. Persons duly qualified who have been Guardians for any year are re-eligible for the ensuing or any subsequent year; and the same person may be elected Guardian for more than one Electoral Division.—(1 & 2 *Vic. c. 56, sec. 21.*)

4. If any person put in nomination for the office of Guardian in any Electoral Division or Ward, tender to the Returning Officer his refusal, in writing, to serve such Office, the Election, so far as regards such person, is to be no further proceeded with in such Division or Ward.—(6 & 7 *Vic. c. 92, sec. 20.*)

QUALIFICATION OF VOTERS, AND SCALE OF VOTING.

5. Every Occupier paying Rate under the last Rate made, for property in the Union, and not entitled to deduct the whole Rate from Rent payable by him; and every person receiving Rent in respect of Rateable property in the Union, exceeding all Rent payable by him in respect of such pro-

REMARKS
appended to
Election
Order.

perty ; and every owner of Rent-charge received in lieu of Tithes from property in the said Union, will be entitled to vote at the Election of a Guardian or Guardians for each Electoral Division in which such property is situate, according to the following scale ; that is to say, where the net annual value of the property occupied, or the net amount of Rent receivable, exceeding as aforesaid all Rent payable for the same property, or the amount of Rent-charge annually payable in lieu of Tithes as aforesaid, in any Electoral Division—

Shall not amount to 20 <i>l.</i> , the Rate-payer will have	1 vote in such Division.
Shall amount to 20 <i>l.</i> and not to 50 <i>l.</i> ,	2 votes ,,
Shall amount to 50 <i>l.</i> and not to 100 <i>l.</i> ,	3 ,, ,,
Shall amount to 100 <i>l.</i> and not to 150 <i>l.</i> ,	4 ,, ,,
Shall amount to 150 <i>l.</i> and not to 200 <i>l.</i> ,	5 ,, ,,
Shall amount to 200 <i>l.</i> and upwards,	6 ,, ,,

(1 & 2 *Vic. c.* 56, § 80, 81, and 2 *Vic. c.* 1, § 5.)

6. If the Electoral Division be divided into Wards, every person entitled to Vote in such Division as aforesaid, will have a Vote or Votes in each Ward in which the property entitling him to Vote is situate, according to the foregoing scale ; but so as that the whole number of Votes given in the *Electoral Division* by the same person shall not exceed the maximum number stated in such scale, except in the cases hereinafter mentioned.—(2 *Vic. c.* 1, *sec.* 2, 5.)

7. Any Occupier paying Rate, as aforesaid, who is not entitled to deduct any part thereof from Rent payable by him, will have double the number of Votes above mentioned, according to the *net annual value* of such property in the last Rate made.—(1 & 2 *Vic. c.* 56, *sec.* 81.)

8. Where the *net annual value* of the Rateable property shall exceed the Rent paid by the Occupier, he will, in addition to his Votes as Occupier, have the same number of Votes in respect of such excess of *net annual value* as if it were Rent received and retained by him without deductions.—(1 & 2 *Vic. c.* 56, *sec.* 81.)

9. The number of Votes to which an Occupier will be entitled in respect of detached parcels of

Rateable property in the same Electoral Division or Ward, will be determined by the aggregate amount of the net annual value of such property, according to the last Rate made in the Division.—(1 & 2 *Vic. c. 56, sec. 81.*)

REMARKS
appended to
Election
Order.
—

10. The number of Votes to which a Rate-payer will be entitled in respect of net Rents, or of Interests equivalent to Profit rents, or of Rent-charges in lieu of Tithe, derived from property in the same Electoral Division or Ward, will be determined by the aggregate amount of such net Rents, or of such Interests, or of such Tithe Rent-charges, as the case may be, in the Division.—(1 & 2 *Vic. c. 56, sec. 81.*)

11. Every person entitled to vote in respect of more than one of the qualifications hereinbefore mentioned, will be entitled to give in respect of each such qualification, the number of Votes conferred by it, according to the scale set forth in paragraph 5.—(1 & 2 *Vic. c. 56, sec. 81.*)

12. In case two or more Rate-payers shall be jointly liable to pay or contribute Rate in respect of any property, each of them will be entitled to vote according to the proportion and amount of Rate which shall be borne by him. And where one only of the persons jointly liable shall claim to vote, he will be entitled to vote in respect of the whole of the property, in respect of which such Rate-payers may be jointly liable.—(1 & 2 *Vic. c. 56, sec. 82.*)

CONDITIONS OF VOTING.

13. No Rate-payer will be entitled to vote in respect of any property not in his actual occupation, or in respect of any Interest equivalent to Profit Rent arising out of property occupied by him, unless he shall, one calendar month at the least previous to the day on which he shall claim to vote, deliver to the Board of Guardians of the Union, or to the person acting for the time as Returning Officer, a Statement in writing of his name and address, with a description of the property in respect of which he claims to be entitled to vote, and of his interest therein.—(1 & 2 *Vic. c. 56, sec. 84, and 6 & 7 Vic. c. 92, sec. 24.*)

REMARKS
appended to
Election
Order.

14. Every Rate-payer in respect of property not in the actual occupation of such Rate-payer, may from time to time, by writing under his hand, appoint any person to vote as his Proxy in respect of such property ; and the appointment will remain in force, if the person making the same continue in possession of the property described therein, until it be revoked, or until the Rate-payer or Proxy dies ; but such Proxy must, one calendar month at the least previous to the day on which he shall claim to vote, deliver to the Board of Guardians, or to the person acting for the time as Returning Officer, the original or an attested copy of the writing appointing him as such Proxy, together with a statement of the name and address of his principal, and a description of the property in respect of which he is appointed Proxy.—(1 & 2 *Vic. c. 56, sec. 81, and 6 & 7 Vic. c. 92, sec. 24.*)

15. No Member of a Corporation, or Proprietor of or interested in a Joint stock Company, will be entitled to vote in respect of the property of such Corporation or Company ; but such Officer thereof as shall be appointed for the purpose by the Governing Body of any Corporation or Company, stating their claim to vote in the same manner as Rate-payers claiming to vote in respect of property not in their actual occupation, will be entitled to vote in respect of the property in the same manner as if he were a Rate-payer thereof.—(1 & 2 *Vic. c. 56, sec. 86.*)

16. It is the duty of the Board of Guardians of the Union, or of the person acting as Returning Officer, to enter every such Statement and Appointment as is described in paragraphs 13, 14, and 15, in a book to be from time to time provided for that purpose.—(1 & 2 *Vic. c. 56, sec. 84.*)

17. If the Returning Officer have reasonable cause to doubt the correctness of any claim to vote made by any person in respect of Rent received and retained by such person, the Returning Officer is not to admit such person to vote in respect of such Rent, until such person shall have produced evidence to the satisfaction of the Returning Officer of the amount of such Rent.—(6 & 7 *Vic. c. 92, sec. 26.*)

18. No Occupier will be entitled to vote in respect of any property for which he shall be liable to pay Rent to any Landlord, unless he shall have paid all the Poor-rates previously made and assessed upon him in the Union, except such as shall have been made or become due within the six calendar months immediately preceding such voting.—(1 & 2 Vic. c. 56, sec. 85.)

REMARKS
appended to
Election
Order.
—

19. The Votes must in all cases be given or taken *in writing*, in the manner directed by the Commissioners in their Order in that behalf; and *the majority* of the Votes actually collected and returned in each Electoral Division or Ward, will be binding.—(1 & 2 Vic. c. 56, sec. 83.)

20. Every person returned by the Returning Officer will be deemed to be legally elected.—(1 & 2 Vic. c. 56, sec. 88.)

OFFENCES AND PENALTIES.

21. If any person knowingly and fraudulently, and with the intent of giving a greater number of Votes than he is by law entitled to give, tender or forward to the Returning Officer a false Statement of the grounds on which he claims to vote or give additional Votes; or forge, falsify, or knowingly and fraudulently alter after signature, any Paper containing a Statement of claim to vote, Proxy, Nomination, or Vote for the election of Guardians, or Refusal to serve the office of Guardian; or conspire to forge, falsify, or so alter any such Paper; or knowingly tender or forward to the proper Officer any such Paper forged, falsified, or so altered, as aforesaid; or wilfully suppress, carry off, destroy, or deface any statement of Claim to vote, Proxy, or Nomination of a Candidate for the office of Guardian, after the same has been duly signed; or in like manner suppress, carry off, destroy, or deface any Voting Paper, after the same has been issued by the Returning Officer,—the person so offending is liable to a Penalty of Ten Pounds, recoverable by distress and sale of the offender's goods, or to Imprisonment for Three Months, on complaint and conviction before two Justices of the Peace.—(6 & 7 Vic. c. 92, sec. 25, and 14 & 15 Vic. c. 93, sec. 22.)

ELECTION OF
GUARDIANS :
CIRCULARS.

CIRCULARS OF INSTRUCTIONS REFERRING TO
THE FOREGOING ORDER FOR REGULATING
THE ELECTION OF GUARDIANS.

Instructions
to Clerk of
Union as
Returning
Officer:

17 Jan. 1854.

No. 1.—INSTRUCTIONS to CLERK of UNION as
Returning Officer^a.

*Poor Law Commission Office, Dublin,
17th January, 1854.*

SIR,

1. The Commissioners for administering the Laws for Relief of the Poor in Ireland desire to call your attention to their General Order dated the 26th of January, 1852, for regulating the conduct of Elections of Guardians in the several Unions in Ireland, a sealed Copy of which Order was transmitted with their Circular of the 31st of that month.

Qualification
of Guardians.

2. That Order rescinded all previous Orders for regulating such Elections, except the Regulation or Order fixing the amount of the Qualification for the Office of Guardian in the respective Unions, which remains as fixed by the last Order issued in that behalf to each Union ; and excepting also any existing Regulation or Order appointing the Returning Officer, and providing for the performance of the duties of that Office. Under Article 1 of the General Order of 26th January, 1852, the Clerk of the Union for the time being will continue to be the Returning Officer, and the following Regulation in the Order previously issued continues in force, subject to the regulation in Article 1 of the General Order of 26th January, 1852 :—

Appointment
of Returning
Officer.

“ART. 1.—The Clerk for the time being to the Board of Guardians shall, at every future Election of Guardians

^a For Instructions to Clerk and Returning Officer, where these offices are not combined in one person ; see pages 584 and 594. There is in this year (1856) only one Union (Baillieborough,) in which these offices are not so combined.

of the said Union, be, and We, the said Commissioners, do hereby appoint such Clerk to be the Returning Officer: and such Clerk shall perform the duties herein directed to be performed by the Returning Officer, and all other duties suitable to his Office, which it may be requisite for him to perform in conducting and completing such Election. And in case the Office of Clerk shall be vacant at any time when any proceeding is to be taken under this Order, or in case the Clerk shall be prevented by sickness or accident, or other sufficient cause, from the performance of his duties, the Guardians of the said Union shall appoint some person to perform such of the duties imposed by this Order upon the Returning Officer as shall then remain to be performed, and the person so appointed shall perform such duties."

ELECTION OF
GUARDIANS:
CIRCULARS.

Instructions
to Clerk of
Union as
Returning
Officer:

17 Jan. 1854.

3. Under Articles 3, 12, 21, and 33, of the General Order of 26th January, 1852, the Collectors of Poor Rate in the Union are to assist the Returning Officer as heretofore in the Election, at the times and for the purposes therein indicated. These Regulations impose no fresh duties on the Collectors, but it will be proper for you to call the attention of each of them to those Regulations before the next Election takes place.

4. The Police who may be employed as heretofore, in posting the Notices of the Election, and in distributing and collecting Voting Papers, will receive their instructions from their own superior officers; but in case their services in any instance should not be available in sufficient number for the latter duty, the Returning Officer should take care to furnish any other persons who may be employed by him, in pursuance of Article 2 of the General Order, for the distribution and collection of the Voting Papers, with proper lists and instructions for their guidance, in accordance with Articles 17, 18, 20, 22, 23, and 27, of the Order.

Constabulary.

5. Where it has happened in previous Elections that the assistance of the Police has not been available, or has not been available to a sufficient extent, for the distribution and collection of Voting Papers within the prescribed period, the Commissioners have in some instances received applications for their sanction to the employment of the Collectors of Poor Rates or their assistants, and of Relieving Officers, in this service, where it may be necessary

Distributors
and Collec-
tors of Voting
Papers.

ELECTION OF
GUARDIANS:
CIRCULARS.Instructions
to Clerk of
Union as
Returning
Officer:

17 Jan. 1854.

to issue Voting Papers. It is desirable that, where practicable, this duty should be performed by responsible Officers; and as it will, according to the Regulations, occupy only two or at most four days, and will therefore not cause any material interruption of the ordinary duties of the Union Officers referred to, the Commissioners are prepared to sanction their being employed to assist in performing the duty in question, provided the Board of Guardians permit them to be so employed, for which permission it will be your duty, where necessary, to apply. If the services of the Police and Union Officers should not be available or sufficient, you will have to employ other trustworthy persons acquainted with the respective localities, as far as practicable, in accordance with the regulation contained in Article 2 of the General Election Order of 26th January, 1852. But you will first take care to ascertain whether you can obtain the services of the Police in sufficient number or not, before you employ any other persons; and you will only resort to the employment of the Officers of the Union or other persons, in case you cannot obtain the assistance of the Police in sufficient number.

Other assist-
ance.

6. Should some additional assistance be necessary for enabling you in case of contests, to prepare the requisite Lists of Voters, and complete the proceedings in the Election at the times prescribed by the General Order, the Commissioners will be prepared to sanction such assistance for so long as may be absolutely requisite, on receiving a communication from you, setting forth the *circumstances which render the application necessary*, the *particular purposes* for which assistance is required, and the *extent* of assistance required.

Notice of
Election.

7. One of your first duties will be to issue the Notice of the Election, which is to be posted on the 25th February (whenever that day is not a Sunday). The Notice is to set forth the Names of the Electoral Divisions, the qualification and number of Guardians to be elected for each, with other particulars prescribed in the General Order, according to the Form (D) annexed thereto. You should, in

due time before the 25th February, give notice of application to the Constabulary for their assistance in posting the Notices, as heretofore ; and you will afterwards forward the copies of the Notices to the proper Constabulary Stations. Due notice should likewise be given to the Constabulary, when it becomes necessary to apply for their services in the distribution and collection of Voting Papers, apprizing them of the probable extent of the duty to be performed.

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GUARDIANS :
CIRCULARS.

Instructions
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Returning
Officer:

17 Jan. 1854.

8. The days fixed for the several proceedings in the Annual Election remain unaltered, and are as follow : namely,—

Dates for
proceedings.

25th February—Issue of Notice of Election. (Art. 9.)

4th March—Last day for receiving Nomination Papers, which can be received up to 5 o'clock, p.m., on that day. (Art. 11.)

8th March—List of Candidates to be prepared and forwarded. (Art. 14.)—List of Voters to be prepared in case of contest.

The last day for receiving Statements of Claim to Vote, and Appointment of Proxies, (6 & 7 Vic. c. 92, sec. 24,) so as to be available in this Election, will be the 19th* February ; and in case of contests, the Lists of Rate-payers making Statements are to be made up to that day. (Art. 17.)

11th March—Application to be made to Constabulary for assistance in distributing Voting Papers, where necessary, which should afterwards be transmitted to them, with the List of Voters, in due time for distribution on the day prescribed for the purpose.

17th March—List of Occupying Tenants who are entitled to Vote, having paid Rates required to be paid, is to be made up to this day. (Art. 21.)

18th March—Day for issuing Voting Papers, and following day* if needful. (Art. 20.)

20th March*—Day for collecting Voting Papers, and following day* if necessary. (Art. 27.)

21st March*—Time for applying for Voting Papers, where not duly received by persons entitled, expires. (Art. 28, 29.)

22nd March*—Time for delivering to Returning Officer Voting Papers that may not have been duly collected, expires. (Art. 30.)

25th March—Return of Guardians to be made, (Art. 34) ; or within 14 days thereof, (Art. 35.)

* The Order further provides, that whenever any of the prescribed days is a Sunday or Good Friday, the proceeding prescribed in the Regulations

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Supply of
Election
Forms.

for that day is to be taken on the ensuing day. (Art. 41.) In the cases marked with an asterisk above, the date will accordingly be in the present year (1854), 20th February and 20th, 21st, 22nd, and 23rd March, instead of 19th, 20th, 21st, and 22nd, respectively, the 19th being a Sunday.

9. Previously to the commencement of the Election, you should procure the requisite supply of the Forms prescribed for use in the Election. With regard to the Notice of the Election (Form D), the Commissioners have thought it advisable to direct that the copies of that Notice should be printed and transmitted to you from this Office, as usual; and the same number of copies as was forwarded to you last year will accordingly be transmitted to you in due time, for posting and distribution according to Article 9 of the General Order. If, however, you should be of opinion that the number of copies printed last year was greater or less than will be required for the present year, you will be good enough to report the fact immediately, stating the number which you consider necessary. In the absence of any communication from you before the 25th instant, the same number as was furnished last year will be provided.

10. With regard to the other Forms, steps should be taken in due time to provide a sufficient supply of those which may be required for carrying on the Election, as prescribed by the General Order. If any copies of the Forms similar to those marked A 1 and 2, or B 1 and 2, or of the Forms marked F, G 1 and 2, and L, in the present Order^a, remain on hand from previous Elections, they may be used for the approaching Election; and where Register Books (Forms C 1, 2, and 3), for the entry of Statements of Claims to Vote and Appointments of Proxies, which have been already procured according to the Forms prescribed in previous Orders, are not yet filled up, they may continue to be used until they are filled up, and fresh Books are required. For any other of the Forms required, you should forward a requisition *direct to the Printer*, without delay (except the Notice, Form D, above referred

to), specifying the number of copies of each which will be requisite. The forms can be procured from Mr. THOM, of 87, Abbey-street, Dublin; but should you employ any other Printer, it will be necessary for you to compare the several Forms carefully with those prescribed in the General Election Order of 26th January, 1852, as you will be responsible for their accuracy. The charge for Voting Papers is not to *exceed* 2s. per hundred, at which they may be obtained in Dublin: and it is advisable that you should ascertain and compare the prices at which other Forms are procurable before you order them.

11. A placard, containing a description of the Electoral Divisions in the Union as at present constituted, to be posted in case of contest as heretofore, should be prepared, and a sufficient number of copies thereof for posting, obtained when necessary, in like manner with the Voting Papers.

12. The Forms (A 1, 2, and B 1, 2,) for Statements of Claims to Vote, and appointments of Proxies with their Applications, in pursuance of § 84 of 1 & 2 Vic. c. 56, and the Statements of Corporations and Joint Stock Companies, in pursuance of the 86th section of that Act, are to be supplied free of charge, (on application made to you), to any Persons or Corporations, or Companies, respectively, who may require them for their own statements or applications. It would not be expedient to make a more general distribution of these Forms.

13. With regard to the Registry of such Statements and Appointments in the proper Books (Forms C 1, 2, 3), the Commissioners request the special attention of the Clerk and Returning Officer to Articles 4 and 5 of the General Order of 26th January, 1852, and to the duties assigned to those officers in respect to the same, under the provisions of the Statutes and under Articles 6 and 8 of the Order.

14. The provisions of the Acts relating to such Statements and Registers are contained in § 84 of 1 & 2 Vic. c. 56, as amended by § 24 of 6 & 7 Vic. c. 92, to which your attention is requested, as well as to § 26 of the latter Act. The first-named section sets forth the particulars required to be stated

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Registry of
Owners'
claims, and
Proxies.

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in such Claims, which must be lodged one calendar month before the Owner or his Proxy can vote as such; and requires that the Guardians, or the person acting as Returning Officer, should register such Claims in manner provided. If at any Election the Returning Officer have reasonable cause to doubt the correctness of a Claim to Vote, made by any person in respect of net rent, the Returning Officer is required by the last named section not to admit such person to vote, until he shall have produced evidence, to the satisfaction of the Returning Officer, of the amount of such rent.

15. Inconvenience and irregularity, it is believed, have occurred in some instances from the discovery, at the time of an Election, of errors or defects in the Registry prescribed, from omission of claims therein, or from retaining on record the claims of persons deceased, or from other causes, where the original statements of claim, owing to changes of officers or other circumstances, are not themselves forthcoming. The Commissioners therefore request that you will at once see whether, in the Union for which you act, the prescribed Registers have been duly kept up to the present time; and if not, that they be perfected before the approaching Election takes place. Care should be taken also to revise the entries in any existing registers with a view to their proper correction where the original claimants have died, or other changes affecting the validity or continuance of the claims have taken place.

16. The Commissioners take this opportunity to observe, that although an Owner or Proxy is not entitled, under § 24 of 6 & 7 Vic. c. 92, to vote until one calendar month after he shall have made the prescribed statement or appointment and claim, it is not necessary that he should make or renew such statement, &c., a month before *each* Election. The statements of claim, &c., may be made at any time, and they continue effective as long as the parties remain in possession of the interests described therein, and in the case of a Proxy, until the appointment is revoked, or until the Owner himself

resumes the exercise of his right to vote, or either of the parties dies.

17. Any such statements, &c., should be duly preserved; and in case there be reason to believe that any that may have been already lodged have not been handed over to you by any previous Officer, or not registered, you should make inquiry of such Officer, or otherwise endeavour to obtain them, and forthwith see that they be recorded in the proper Form of Register Book, and that the directions in the above mentioned Articles of the Election Order be duly complied with.

18. In reference to the alterations which have been made in the boundaries of some Unions or Electoral Divisions of Unions, the Commissioners desire to observe, that the alteration of boundaries in any Union has not the effect of preventing any person from exercising his right to vote, who would otherwise be entitled to vote in pursuance of a statement of claim made at any previous Election, or not less than one month before the time for voting in the approaching Election, in respect of property situated in any of the present Electoral Divisions of the Union; and if you have not already received the statements and appointments that may have been made in regard to any properties now in the Union for which you act, but not heretofore in it, or the Registers thereof, you should apply to the Clerks of the respective Unions in which such properties were heretofore comprised, for the same; and, in like manner, if you have any such statements relating to properties not now in the Union for which you act, you should hand them over to the Clerk of the Union in which the respective properties are now included. The Returning Officer, however, is not bound under Article 22 of the Election Regulations to cause any Voting Papers to be delivered out of the Electoral Division or Ward for which it may be necessary to issue Voting Papers; and if the places named for the reception of Voting Papers, by the Owners or Proxies who have made claims, be not in any case within the respective Divisions or Wards in which the properties are now

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Union as
Returning
Officer :

17 Jan. 1854.

Marking of
Voting
Papers.Attendance
of Returning
Officer.

situate, you should immediately communicate with such parties, and request them to name a place within the Division or Ward, and point out to them that otherwise they can only vote in manner provided in Article 28 of the Election Regulations ; and you should apprize the parties concerned as above, of the substance of the Regulation contained in that Article.

19. A practice appears to have been adopted by the Returning Officer in some instances, of marking on each of the Voting Papers, in addition to the *number* directed by Article 18 of the Election Regulations, the *name* of the person for whom it is issued, or his name and address ; and in the case of a Proxy, the name of the proxy, as well as that of the person for whom he is proxy. The Commissioners think it right to point out, that the Returning Officer is not required by the Regulations to endorse the name of any party on the Voting Paper, and the practice has been found in some instances to lead to error. It seems advisable therefore, that the Returning Officer should not, in this respect, do more than he is required to do by the 18th Article of the Election Order ; namely, to prepare Lists containing the number of each paper, and the name of the place at which it is to be left, and to endorse each paper with its proper number corresponding to that in the List.

20. The Returning Officer should take care to make himself well acquainted with the Regulations contained in the General Order of the 26th January, 1852, before the Election commences. With a view to general convenience and economy, the business of the Election is to be transacted, as far as possible, at the Board-Room of the Guardians, and within the hours of ten and five o'clock in the day. The Returning Officer is to attend daily, (except on Sundays,) at the place appointed, from the 25th of February, (the date for the issue of the Notice,) to the 4th March, the last day for receiving Nomination Papers, inclusive, to afford information to persons requiring it ; and likewise during the period from the 20th March, (the first day for the collec-

tion of Voting Papers,) to the 22nd March, and until the Examination of the Votes and the Return of the Guardians elected shall have been completed, (see Articles 28, 29, 30, 33, 34, and 35 ;) and also at all such other times during the progress of the Election, as may be necessary for the due performance of his duties, as directed in Article 31. In reference to the examination and casting up of the Votes, (Article 33,) the Commissioners are not prepared to deprive the Returning Officer of a discretion in regard to the admission or exclusion of strangers, inasmuch as the exercise of such a discretion may, on some occasions, be necessary to the proper discharge of his duty; but, on the other hand, the Commissioners think that if the Returning Officer excludes from the examination of the Voting Papers for a particular Electoral Division either the Candidates for that Electoral Division or those who proposed them, he should be prepared to show some urgent reason for a step which, generally speaking, would seem to be unnecessary and unreasonable; but the Commissioners do not think it desirable that the privilege of being present during the examination of the votes, should be extended to Rate-payers generally.

21. Your special attention is requested to your duties as Clerk of the Union, under the Regulations contained in Articles 36 and 37 of the General Order. Under the former of those Articles, you are, immediately on the Return of the new Election of Guardians being completed, to transmit to each Member of the Board of Guardians for the previous year, including Ex-Officio Guardians and out-going Guardians, as well as any who may be re-elected, a Notice in the Form K, apprizing them of the Names of the several Guardians elected for the ensuing year. The object of this regulation being chiefly to obviate the inconvenience of any Guardian attending at any Meeting of the Board after his year of office has expired, you should take care that this Notice is transmitted without any delay on the completion of the Return. Under Article 37, you are likewise to transmit to every

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Presence of
strangers at
examination
of Voting
Papers.

Notice to
Guardians
after Elec-
tion.

ELECTION OF
GUARDIANS :
CIRCULARS.Instructions
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Union as
Returning
Officer:

17 Jan. 1854.

Guardian *elected for the ensuing year*, whether previously a Guardian or not, a Notice in the usual form, marked L in the General Order of 26th January, 1852. Under the 20th section of the Irish Poor Relief Act, 1 & 2 Vic. c. 56, the Election of the Guardians for the ensuing year is to be completed on the 25th March, or within fourteen days thereafter; and the section further declares that "immediately upon their election, the Guardians previously elected by the Rate-payers of any Union shall go out of office." You should therefore issue the Notices K and L according to the regulations, immediately on the return being made, so that the first meeting thereafter may consist of the members of the new Board, in accordance with the Act. The issue of these notices is not to be delayed until a meeting of the Board of Guardians shall have been held, but a certified copy of the return is to be laid before the Board at the first meeting after such return is made.

Account of
Expenses.

22. Immediately on the close of the Election, an account of the expenses of the same is to be transmitted to the Commissioners for examination and sanction, in a Form which will be forwarded to you for the purpose^a.

By Order of the Commissioners,
W. STANLEY, *Secretary*.

To

*The Clerk of the ——— Union,
Returning Officer of the said Union.*

Instructions
to Returning
Officer,
where he is
not Clerk of
Union:

1854.

No. 2.—INSTRUCTIONS TO RETURNING OFFICER,
where he is *not* the Clerk of the Union^b.

Poor Law Commission Office, Dublin,
1854.

To ———, *Esq., Returning Officer*
of ——— *Union.*

SIR,

1. I am directed by the Commissioners for administering the Laws for the Relief of the Poor in

^a No. 6-8, p. 600-604.

^b For Letter to Clerk in this case, see No. 3, p. 594. For Instructions where the Clerk is Returning Officer, see No. 1, p. 574.

Ireland, to acknowledge the receipt of your Letter of the ———, and to inform you that they have resolved to appoint you Returning Officer for the Election of Guardians to serve during the year ending 25th March, 1855, in the ——— Union. The instrument of appointment will be transmitted to you in due course; and the Commissioners refer you to their General Order, dated 26th January, 1852 (a copy of which is herewith enclosed), as containing the regulations for the conduct of Elections of Guardians in the several Unions in Ireland, and the duties of the Returning Officer.

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GUARDIANS:
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to Returning
Officer,
where he is
not Clerk of
Union;

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Appoint-
ment of
Returning
Officer.

2. That Order rescinded all previous Orders for regulating the Election of Guardians, except the Regulation or Order fixing the amount of the Qualification for the Office of Guardian which remains as fixed by the last Order issued in that behalf.

3. Under Articles 3, 12, 21, and 33 of the General Order, the Collectors of Poor Rate in the Union are to assist the Returning Officer as heretofore in the Election, at the times and for the purposes therein indicated. These regulations imposed no fresh duties on the Collectors, but the Commissioners have intimated to the Clerk of the Union that he should call the attention of each of them to those regulations before the next Election takes place; and you should communicate accordingly with the Collectors when their assistance is required for the purposes referred to in the regulations.

Collectors.

4. The Police who may be employed as heretofore, in posting the Notices of the Election, and in distributing and collecting Voting Papers, will receive their instructions from their own superior Officers; but in case their services in any instance should not be available in sufficient number for the latter duty, the Returning Officer should take care to furnish any other persons who may be employed by him in pursuance of Article 2 of the General Order, for the distribution and collection of the Voting Papers, with proper lists and instructions for their guidance, in accordance with Articles 17, 18, 20, 22, 23, and 27 of the Order.

Constabu-
lary.

5. Where it has happened in previous Elections

Distributors
and Collec-

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GUARDIANS :
CIRCULARS.

Instructions
to Returning
Officer,
where he is
not Clerk of
Union:

1854.

tors of Voting
Papers.

that the assistance of the Police has not been available, or has not been available to sufficient extent, for the distribution and collection of Voting Papers within the prescribed period, the Commissioners have in some instances received applications for their sanction to the employment of the Collectors of Poor Rates or their assistants, and of Relieving Officers in this service, where it may be necessary to issue Voting Papers. It is desirable that, where practicable, this duty should be performed by responsible officers; and as it will, according to the regulations, occupy only two or at most four days, and will therefore not cause any material interruption of the ordinary duties of the Union Officers referred to, the Commissioners are prepared to sanction their being employed to assist in performing the duty in question, provided the Board of Guardians permit them to be so employed, for which permission it will be your duty, where necessary, to apply. If the services of the Police and Union Officers should not be available or sufficient, you will have to employ other trustworthy persons acquainted with the respective localities, as far as practicable, in accordance with the regulation contained in Article 2 of the General Election Order of 26th January, 1852. But you will first take care to ascertain whether you can obtain the services of the Police in sufficient number or not, before you employ any other persons; and you will only resort to the employment of the Officers of the Union or other persons, in case you cannot obtain the assistance of the Police in sufficient number.

Other assist-
ance.

6. Should some additional assistance be necessary for enabling you, in case of contests, to prepare the requisite List of Voters and complete the proceedings in the Election at the times prescribed by the General Order, the Commissioners will be prepared to sanction such assistance for so long as may be absolutely requisite, on receiving a communication from you, setting forth the *circumstances which render the application necessary*, the *particular purposes* for which assistance is required, and the *extent* of assistance required.

7. One of your first duties will be to issue the Notice of the Election, which is to be posted on the 25th February, (whenever that day is not a Sunday.) The Notice is to set forth the names of the Electoral Divisions, the Qualification and Number of Guardians to be elected for each, with other particulars prescribed in the General Order, according to the Form (D) annexed thereto. You should in due time before the 25th February, give notice of application to the Constabulary for their assistance in posting the Notices, as heretofore; and you will afterwards forward the copies of the Notices to the proper Constabulary stations. Due notice should likewise be given to the Constabulary when it becomes necessary to apply for their services in the distribution and collection of Voting Papers, apprizing them of the probable extent of the duty to be performed.

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GUARDIANS:
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to Returning
Officer,
where he is
not Clerk of
Union:

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Notice of
Election.

8. The days fixed for the several proceedings in the annual Election, remain unaltered, and are as follow: namely,—

Date for
proceedings.

25th February—Issue of Notice of Election. (Art. 9.)

4th March—Last day for receiving Nomination Papers, which can be received up to 5 o'clock, p.m., on that day. (Art. 11.)

8th March—List of Candidates to be prepared and forwarded: (Art. 14.)—List of Voters to be prepared in case of contest.

The last day for receiving Statements of Claim to Vote, and Appointment of Proxies, (6 & 7 Vic. c. 92, sec. 24,) so as to be available in this Election, will be the 19th* February; and in case of contests, the Lists of Rate-payers making Statements are to be made up to that day. (Art. 17.)

11th March—Application to be made to Constabulary for assistance in distributing Voting Papers, where necessary, which should afterwards be transmitted to them with the Lists of Voters, in due time for distribution on the day prescribed for the purpose.

17th March—List of occupying Tenants who are entitled to Vote, having paid Rates required to be paid, is to be made up to this day. (Art. 21.)

18th March—Day for issuing Voting Papers, and following day* if needful. (Art. 20.)

20th March*—Day for collecting Voting Papers, and following day* if necessary. (Art. 27.)

* See paragraph * overleaf.

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GUARDIANS :
CIRCULARS.Instructions
to Returning
Officer,
where he is
t Clerk of
Union :

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21st March*—Time for applying for Voting Papers, where not duly received by persons entitled, expires. (Art. 28, 29.)

22nd March*—Time for delivering to Returning Officer Voting Papers that may not have been duly collected, expires. (Art. 30.)

25th March—Return of Guardians to be made, (Art. 34); or within 14 days thereof. (Art. 35.)

* The Order further provides, that whenever any of the prescribed days is a Sunday or Good Friday, the proceeding prescribed in the Regulations for that day is to be taken on the ensuing day. (Art. 41.) In the cases marked with an asterisk above, the dates will accordingly be in the present year (1854,) 20th February, and 20th, 21st, 22nd, and 23rd March, instead of 19th, 20th, 21st, and 22nd, respectively, the 19th being a Sunday.

Supply
Election
Forms.

9. Previously to the commencement of the Election, you should procure the requisite supply of the Forms prescribed for use in the Election. With regard to the Notice of the Election (Form D), the Commissioners have thought it advisable to direct that the copies of that Notice should be printed and transmitted to you from this Office, as usual; and the same number of copies as was forwarded to you last year will accordingly be transmitted to you in due time, for posting and distribution according to Article 9 of the General Order. If, however, you should be of opinion that the number of copies printed last year was greater or less than will be required for the present year, you will be good enough to report the fact immediately, stating the number which you consider necessary. In the absence of any communication from you, before the 25th instant, the same number as was furnished last year will be provided.

10. With regard to the other Forms, steps should be taken in due time to provide a sufficient supply of those which may be required for carrying on the Election, as prescribed by the General Order. If any copies of the Forms similar to those marked A 1 and 2, or B 1 and 2, or of the Forms marked F, G 1 and 2, and L, in the present Order^a, remain on hand from previous Elections, they may be used

for the approaching Election : and where Register Books (Forms C 1, 2, and 3), for the entry of Statements of Claims to Vote and Appointments of Proxies, which have been already procured according to the Forms prescribed in previous Orders, are not yet filled up, they may continue to be used, until they are filled up and fresh Books are required. For any other of the Forms required, you should forward a requisition *direct to the Printer*, without delay, (except the Notice, Form D, above referred to,) specifying the number of copies of each which will be requisite. The Forms can be procured from Mr. THOM, of 87, Abbey-street, Dublin ; but should you employ any other Printer, it will be necessary for you to compare the several Forms carefully with those prescribed in the General Election Order of 26th January, 1852, as you will be responsible for their accuracy. The charge for Voting Papers is not to *exceed* 2s. per hundred, at which they may be obtained in Dublin : and it is advisable that you should ascertain and compare the prices at which other forms are procurable, before you order them.

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11. A Placard, containing a description of the Electoral Divisions in the Union as at present constituted, to be posted in case of contest as heretofore, should be prepared, and a sufficient number of copies thereof for posting be obtained when necessary, in like manner with the Voting Papers.

12. The Forms (A 1, 2, and B 1, 2,) for Statements of Claims to Vote, and Appointments of Proxies, with their applications, in pursuance of sec. 84 of 1 and 2 Vic. cap. 56, and the Statements of Corporations and Joint Stock Companies in pursuance of the 86th section of that Act, are to be supplied, free of charge, (on application made to you,) to any persons, or Corporations, or Companies, respectively, who may require them for their own Statements or Applications. It would not be expedient to make a more general distribution of these forms.

13. With regard to the Registry of such Statements and Appointments in the proper Books (Forms C 1, 2, 3), the Commissioners request your

Registry of
Owners'
claims, and
Proxies.

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special attention to Articles 4 and 5 of the General Order of 26th January, 1852, and to your duties in respect to the same, under the provisions of the Statutes and under Articles 6 and 8 of the Order.

14. The provisions of the Acts relating to such Statements and Registers are contained in sec. 84 of 1 and 2 Vic. c. 56, as amended by sec. 24 of 6 and 7 Vic. c. 92, to which your attention is requested, as well as to sec. 26 of the latter Act. The first-named section sets forth the particulars required to be stated in such Claims, which must be lodged one calendar month before the Owner or his Proxy can vote as such; and requires that the Guardians, or the person acting as Returning Officer, should register such Claims in manner provided. If at any Election the Returning Officer have reasonable cause to doubt the correctness of a Claim to vote, made by any person in respect of net rent, the Returning Officer is required by the last-named section not to admit such person to vote, until he shall have produced evidence, to the satisfaction of the Returning Officer, of the amount of such rent.

15. Inconvenience and irregularity, it is believed, have occurred in some instances from the discovery at the time of an Election, of errors or defects in the Registry prescribed, from omission of claims therein, or from retaining on record the claims of persons deceased, or from other causes, where the original statements of claim, owing to changes of officers or other circumstances, are not themselves forthcoming. The Commissioners therefore request that you will at once see whether, in the Union for which you act, the prescribed Registers have been duly kept up to the present time; and if not, that they be perfected before the approaching Election takes place. Care should be taken also to revise the entries in any existing Registers with a view to their proper correction where the original claimants have died, or other changes affecting the validity or continuance of the claims have taken place.

16. The Commissioners take this opportunity

to observe, that although an Owner or Proxy is not entitled, under sec. 24 of 6 and 7 Vic. c. 92, to vote until one calendar month after he shall have made the prescribed statement or appointment and claim, it is not necessary that he should make or renew such statement, &c., a month before *each* Election. The statements of claim, &c., may be made at any time, and they continue effective as long as the parties remain in possession of the interests described therein, and in the case of a Proxy, until the appointment is revoked, or until the Owner himself resumes the exercise of his right to vote, or either of the parties dies.

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17. Any such statements, &c., should be duly preserved ; and in case there be reason to believe that any that may have been already lodged have not been handed over to you by any previous Officer, or not registered, you should make inquiry of such Officer, or otherwise endeavour to obtain them, and forthwith see that they be recorded in the proper Form of Register Book, and that the directions in the above-mentioned Articles of the Election Order be duly complied with.

18. In reference to the alterations which have been made in the boundaries of some Unions, or Electoral Divisions of Unions, the Commissioners desire to observe that the alteration of boundaries in any Union has not the effect of preventing any person from exercising his right to vote who would otherwise be entitled to vote in pursuance of a statement of claim made at any previous Election, or not less than one month before the time for voting in the approaching Election, in respect of property situated in any of the present Electoral Divisions of the Union ; and if you have not already received the statements and appointments that may have been made in regard to any properties now in the Union for which you act, but not heretofore in it, or the Registers thereof, you should apply to the Clerks of the respective Unions in which such properties were heretofore comprised for the same ; and in like manner, if you have any such statements relating to properties not now in

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Officer,
where he is
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Voting
Papers.Attendance
of Returning
Officer.

the Union for which you act, you should hand them over to the Clerk of the Union in which the respective properties are now included. The Returning Officer, however, is not bound, under Article 22 of the Election Regulations to cause any Voting Papers to be delivered out of the Electoral Division or Ward for which it may be necessary to issue Voting Papers; and if the places named for the reception of Voting Papers by the Owners or Proxies who have made claims, be not in any case within the respective Divisions or Wards in which the properties are now situate, you should immediately communicate with such parties, and request them to name a place within the Division or Ward, and point out to them that otherwise they can only vote in manner provided in Article 28 of the Election Regulations; and you should apprize the parties concerned, as above, of the substance of the Regulation contained in that Article.

19. A practice appears to have been adopted by the Returning Officer in some instances of marking on each of the Voting Papers, in addition to the *number* directed by Article 18 of the Election Regulations, the *name* of the person for whom it is issued, or his name and address; and, in the case of a proxy, the name of the proxy, as well as that of the person for whom he is proxy. The Commissioners think it right to point out that the Returning Officer is not required by the Regulations to endorse the name of any party on the Voting Paper, and the practice has been found, in some instances, to lead to error. It seems advisable, therefore, that the Returning Officer should not, in this respect, do more than he is required to do by the 18th Article of the Election Order; namely, to prepare Lists containing the Number of each Paper, and the Name of the Place at which it is to be left, and to endorse each Paper with its proper Number, corresponding to that in the List.

20. The Returning Officer should take care to make himself well acquainted with the Regulations contained in the General Order of the 26th January, 1852, before the Election commences. With

a view to general convenience and economy, the business of the Election is to be transacted, as far as possible, at the Board-room of the Guardians, and within the hours of ten and five o'clock in the day. The Returning Officer is to attend daily (except on Sundays,) at the place appointed, from the 25th of February, (the date for the issue of the Notice,) to the 4th March, the last day for receiving nomination papers, inclusive, to afford information to persons requiring it; and likewise during the period from the 20th March (the first day for the collection of Voting Papers) to the 22nd March, and until the examination of the Votes and the Return of the Guardians elected, shall have been completed (see Articles 28, 29, 30, 33, 34, and 35); and also at all such other times during the progress of the Election as may be necessary for the due performance of his duties, as directed in Article 31. In reference to the examination and casting up of the Votes (Article 33), the Commissioners are not prepared to deprive the Returning Officer of a discretion in regard to the admission or exclusion of strangers, inasmuch as the exercise of such a discretion may, on some occasions, be necessary to the proper discharge of his duty; but on the other hand, the Commissioners think that if the Returning Officer excludes from the examination of the Voting Papers for a particular Electoral Division, either the Candidates for that Electoral Division, or those who proposed them, he should be prepared to show some urgent reason for a step which, generally speaking, would seem to be unnecessary and unreasonable; but the Commissioners do not think it desirable that the privilege of being present during the examination of the Votes should be extended to Rate-payers generally.

21. The Commissioners enclose herewith for your information a copy of a Letter which they have addressed to the Clerk of the Union^a in reference to the Election; and you should immediately communicate with him for the purpose of

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to Returning
Officer,
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of Voting
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Union:

1854.

Account of
Expenses.

ascertaining whether any and what description and number of Election Forms, available for the present Election, remain on hand, with a view to your ordering any others that may be required, in accordance with paragraph 10 of the present Letter.

22. Immediately on the close of the Election, an account of the expenses of the same is to be transmitted to the Commissioners, for examination and sanction, in a form which will be forwarded to you for the purpose^a.

By Order, &c.

Instructions
to Clerk of
Union, where
he is not
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Officer:

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No. 3.—INSTRUCTIONS to the CLERK of the
UNION, where he is *not* Returning Officer^b.*Poor Law Commission Office, Dublin,*
1854.*To the Clerk of the Board of Guardians
of — Union.*

SIR,

1. The Commissioners for administering the Laws for Relief of the Poor in Ireland desire to call your attention to their General Order, dated the 26th of January, 1852, for regulating the conduct of Elections of Guardians in the several Unions in Ireland, a sealed copy of which Order was duly transmitted to the Clerk of each Union.

2. That Order rescinded all previous Orders for regulating such Elections, except the Regulation or Order fixing the amount of the Qualification for the Office of Guardian, which remains as fixed by the last Order issued in that behalf.

Collectors.

3. Under Articles 3, 12, 21, and 33, of the General Order of 26th January, 1852, the Collectors are to assist the Returning Officer, as heretofore, in the Election, at the times and for the purposes therein indicated. These regulations imposed no fresh duties on the Collectors, but you should call the attention of each of them to those regulations before the next Election takes place.

Returning
Officer.

4. You will receive herewith for the information

^a No. 6-8, p. 600-604.^b For Instructions to Returning Officer in this case, see No. 2, p. 584 : Instructions where the Clerk is Returning Officer, No. 1, p. 574.

of the Board of Guardians, and for your guidance, a copy of the Letter of Instructions issued to the Returning Officer^a, Mr. — of —; and you will observe that with a view to general convenience and economy, all the business of the Election is to be transacted, as far as possible, at the Board-room of the Guardians, and between the hours of ten and five o'clock in the day.

ELECTION OF
GUARDIANS :
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Instructions
to Clerk of
Union, where
he is not
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Officer:

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5. You should *forthwith* apprise the Returning Officer of the number and description of Forms remaining on hand from previous Elections; and your attention is requested to paragraphs 9 and 10 of the enclosed Letter^a of Instructions to the Returning Officer, for your guidance in this respect. You will likewise furnish to the Returning Officer, before the 25th of February, a list of the names and addresses of all the Ex-Officio Guardians of the Union, and of the Justices of the Peace resident within the Union or qualified to be Ex-Officio Guardians, to enable him to forward to them a Notice of the Election, in accordance with Article 9 of the Order. You will also supply him with the Stationery necessary for the Election; and afford him access to such of the books and documents of the Union, and such other facilities as may be requisite to enable him to discharge the duties imposed upon him by the Order.

Election
Forms, &c.

6. The Commissioners request your attention to those parts of the enclosed Letter, which relate to Owners' statements of claims to vote, and of appointments of Proxies and their claims, and the Registers thereof, especially to paragraphs 14 to 18 of that Letter; and to your duties as Clerk of the Union, in reference thereto, as prescribed in Articles 6 and 7 of the General Order of the 26th January, 1852, to which your attention is also requested, as well as to Articles 4 and 5 of that Order.

Owners'
claims, and
Proxies, and
the Registry
thereof.

7. Your special attention is likewise requested to your duties as Clerk of the Union, under the regulations contained in Articles 36 and 37 of the General Order. Under the former of those Articles, you are, immediately on the Return of the new election of

Notice to
Guardians
after Elec-
tion.

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GUARDIANS:
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to Clerk of
Union, where
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Guardians being completed, to transmit to each member of the Board of Guardians for the previous year, including Ex-Officio Guardians and out-going Guardians, as well as any who may be re-elected, a Notice in the Form K, apprizing them of the names of the several Guardians elected for the ensuing year. The object of this regulation being chiefly to obviate the inconvenience of any Guardian attending at any meeting of the Board after his year of office has expired, you should take care that this Notice is transmitted without any delay, on the completion of the Return. Under Article 37, you are likewise to transmit to every Guardian *elected for the ensuing year*, whether previously a Guardian or not, a Notice in the usual Form, marked L, in the General Order of 26th January, 1852. Under the 20th section of the Irish Poor Relief Act, 1 & 2 Vic., c. 56, the Election of the Guardians for the ensuing year is to be completed on the 25th March or within fourteen days thereafter; and the section further declares that "immediately upon their Election, the Guardians previously elected by the Rate-payers of any Union shall go out of office." You should therefore issue the Notices K and L, according to the regulations, immediately on the return being made, so that the first meeting thereafter may consist of the Members of the new Board, in accordance with the Act. The issue of these Notices is not to be delayed until a meeting of the Board of Guardians shall have been held, but a certified copy of the Return is to be laid before the Board, at the first meeting after such Return is made.

By Order, &c.

Admission
of persons
during the
examination
of the Votes.No. 4.—CIRCULAR TO BOARDS OF GUARDIANS
as to the Admission of Persons during the
Examination of the Votes.

Poor Law Commission Office, Dublin,
21st December, 1853.

SIR,

The attention of the Commissioners for administering the Laws for Relief of the Poor in Ireland

has recently been drawn to the question of the propriety of permitting other persons to be present when the Returning Officer in the Election of Guardians examines and casts up the Votes registered for the several Candidates for the Office of Guardian, and as the Commissioners are aware that a different practice is pursued in this respect by different Returning Officers, they deem it right to make their views on the subject generally known.

ELECTION OF
GUARDIANS :
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—
Admission
of persons
during the
examination
of the Votes.

By the 33rd Article of the General Election Order it is provided, that when the collection of the Voting Papers shall have been completed, the Returning Officer shall attend at the Board Room, and shall, assisted by the Collectors, ascertain the validity of the Votes, and shall register the valid Votes duly given for each remaining Candidate, after which he shall ascertain and register the total number of such Votes for each Candidate.

This Rule was made because the presence of the Collector for the Electoral Division is necessary to enable the Returning Officer to ascertain with certainty the Rate-payer's right to vote, but there is no Rule which prohibits the presence of other parties who may wish to attend ; and it is clearly in the power of the Returning Officer to permit persons interested in the result of the Election to attend at the examination of the Votes. Seeing, however, that the Returning Officer has no power or authority which would enable him to keep order in a public meeting of Rate-payers, the Commissioners are not prepared to deprive him of a discretion in regard to the admission or exclusion of strangers, inasmuch as the exercise of such a discretion may, on some occasions, be necessary to the proper discharge of his duty. On the other hand, the Commissioners think that if the Returning Officer excludes from the examination of the Voting Papers for a particular Electoral Division, either the Candidates for that Electoral Division or those who proposed them, he should be prepared to show some urgent reason for a step which, generally speaking, would seem to be unnecessary and unreasonable ; but the Commissioners do not think it desirable

ELECTION OF GUARDIANS: CIRCULARS. that this privilege should be extended to Rate-payers generally.

By Order of the Commissioners,

W. STANLEY, *Secretary.*

To the Clerk of each Union.

Instructions
of the Inspec-
tor-General
to the Con-
stabulary.

No. 5.—CIRCULAR of INSTRUCTIONS issued by the Inspector-General of the Constabulary for their guidance in assisting the Returning Officers in the Election of Guardians.

*Constabulary Office, Dublin Castle,
14th February, 1853.*

The subjoined Copy of a communication from the Commissioners for administering the Laws for Relief of the Poor in Ireland, is circulated for the guidance of the Officers of the Constabulary, who, with their Men, will not fail to render, as heretofore, their best aid in the manner pointed out; provided only, that their paramount duties shall not be neglected.

Attention is directed to the Extracts below.

A sufficient number of copies of the present communication will be sent from the Office of the said Commissioners to each County Inspector.

D. McGREGOR,

Inspector-General.

To the Officers of Constabulary.

Communication and Extracts annexed to and referred to in foregoing Instructions of the Inspector-General.

(COPY.)

*Poor Law Commission Office, Dublin,
1st February, 1853.*

SIR,

The Annual Election of Guardians of the Poor of the several Unions throughout Ireland being about to take place, the Commissioners for administering the Laws for Relief of the Poor in Ireland request that the aid of the Constabulary may be rendered, as heretofore, to assist the Returning Officers.

The Duties for which the services of the Constabulary are requested, will, as on former occasions, be limited to the posting of the Notices, and the distribution and collection of Voting Papers where necessary. The Notices are to be posted on the 25th instant, and the distribution of the Voting Papers is to commence on the 18th of March.

The usual allowance of One Shilling a day will be made for each man while employed in the distribution and collection of the Voting Papers, including the like allowance for one Man employed in going for the Voting Papers, and returning them to the Returning Officer, for each Electoral Division, Ward, or District.

I have the honour to be, Sir,

Your very obedient servant,

(Signed) W. STANLEY, *Secretary.*

TO MAJOR-GENERAL

SIR DUNCAN M^CGREGOR, K.C.B.,

Inspector-General of Constabulary.

ELECTION OF
GUARDIANS:
CIRCULARS.

Instructions
of the Inspec-
tor-General
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EXTRACTS from the ELECTION REGULATIONS so far as relates to the Distribution and Collection of Voting Papers; for the Guidance of the Persons employed in performing that Duty in case of Contested Elections occurring.

“ARTICLE 18.—... Where the number of Candidates shall exceed the number of Guardians to be elected, the Returning Officer shall cause Voting Papers in the Form H 1, or H 2, as the case may require, to be printed for such Divisions or Wards; and he shall prepare Lists of the Voters for whom Papers are to be left by the persons who shall be employed to distribute them, in which Lists shall be stated the number of each Paper, and the name of the place at which it is to be left: and every Paper shall be folded and endorsed with its proper number: and the Voting Papers shall be arranged in parcels according to Townlands or Streets, or similar order, as far as practicable, and be delivered to the persons employed to distribute and collect the Papers, so arranged that they may distribute and collect them as nearly as possible in the order in which they receive them.”

“ARTICLE 22.—The Returning Officer shall cause one Voting Paper to be delivered by a person appointed for that purpose at the residence of every Occupier named in the List, according to Form G 1, specified in Article 17, who shall appear not to owe any Rate made six calendar months or more previously to the first day for issuing Voting Papers; and Voting Papers for all other Rate-

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GUARDIANS:
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tor-General
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payers and for Proxies, shall be delivered at the respective places appointed by them in the Electoral Division or Ward.

“ARTICLE 23.—Every Rate-payer entitled to vote in more than one capacity in any Division or Ward, shall be supplied with a Voting Paper for each capacity in which he is entitled to vote: and every Proxy shall receive a separate Voting Paper for each of the Rate-payers entitled to vote for whom he acts as Proxy in respect of each Division or Ward in which they may be entitled to vote.”

“ARTICLE 27.—On the 20th day of March, and if necessary on the following day, the Returning Officer shall cause the Voting Papers to be collected, but in no case (excepting that provided for in Article 41*) shall a Voting Paper be allowed to remain more than one clear day with the Voter: and the persons employed in collecting the Voting Papers shall not examine or permit any person to have access to such Papers while in their charge; and on completing the collection in any Electoral Division or Ward, they shall arrange the Voting Papers according to the numbers endorsed thereupon, in pursuance of Article 18, and enclose them in a parcel, which shall thereupon be delivered by one of the persons so employed in each Division or Ward, to the Returning Officer, as nearly as possible in the same order as that in which the Voting Papers had been received from him†.”

* *i.e.*, where Good Friday or a Sunday intervenes.

† The regulations do not require that *each* Constable or Sub-Constable employed in distributing or collecting the Voting Papers should proceed to the Returning Officer, in order to receive from or deliver to him the Voting Papers for distribution and collection by such Constable or Sub-Constable alone: it is sufficient that one Man should attend to receive the Voting Papers for all the Men employed in each District or Electoral Division; and in like manner one Man to return them in the aggregate, after the collection of the papers.

Account of
Expenses of
the Election.

No. 6.—EXPENSES of the ELECTION of GUARDIANS:—Circular of Instructions to Returning Officers.

*Poor Law Commission Office, Dublin,
25th February, 1853.*

SIR,

1. Adverting to the Instructions issued for the conduct of the annual Election of Guardians, I am directed by the Commissioners for administering

the Laws for Relief of the Poor in Ireland to transmit to you herewith a copy of the Form^a in which your Account is to be made out and transmitted to this office, on the close of the Election.

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—
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Expenses of
the Election.

2. Your immediate attention is requested to the Instructions of 10th February, 1852^b, (printed on the form,) in order that you may avoid incurring expenses not in conformity therewith, and which cannot be allowed.

3. The Commissioners also enclose for your further information and guidance a copy of a letter addressed to Boards of Guardians on 10th February, 1852^c, relating to the remuneration of the Returning Officer for his services in the Election of Guardians.

By Order of the Commissioners,

W. STANLEY, *Secretary.*

*To the Returning Officer of
each Union.*

^a No. 7, p. 602-3.

^b No. 8, p. 603.

^c No. 9, p. 606.

No. 7.—FORM for RETURNING OFFICER'S ACCOUNT of Expenses of the Annual Election of Guardians referred to in foregoing Letter, No. 6.

Returning Officer's Account of Expenses of the General Election of Guardians in the above Union, in the Month of _____, 185 : with^a Vouchers.

CHARGES AGAINST UNION AT LARGE.		No. of Voucher.	£	s.	d.
Returning Officer's Fee for Annual Election, and any Supplemental Elections during the year (paid with his Salary as Clerk of the Union, where he holds that office,)					
Printed Forms under Article 39 of Election Regulations,					
Postage paid on Letters or Carriage of Packets relating to the Election generally,					
Total for Union at large,					
CHARGES AGAINST PARTICULAR ELECTORAL DIVISIONS, OR DISTRICTS OF ELECTORAL DIVISIONS.			£	s.	d.
_____ DIVISION.					
Printing ^b Voting Papers,					
Assistant for making Lists of Voters in Forms G 1 and 2, (where such assistance shall have been previously authorized; and state in margin, number and date of Commissioners' Letter authorizing it;) _____ days at _____ per day,					
Distribution and Collection of Voting Papers, by Constabulary:—					
_____ Men Distributing the Voting Papers, _____ day ^d , at 1s. each per day,					
_____ Men Collecting Voting Papers, _____ day ^d at 1s. each per day,					
Allowance to Constable fetching the Voting Papers for the Division from the Returning Officer for the Constabulary, and returning them to the Returning Officer; two days, at 1s. per day,					
Allowance to Collector when attending to assist in issuing Voting Papers, &c., under Article 21 of Election Regulations, _____ day, at _____ per day,					
Collector's Attendance where required to assist in ascertaining the validity of the Votes, under Article 33 of Election Regulations, _____ day, at _____ per day,					
Postage on Account of the Division, or Carriage of Voting Papers,					
Total for the above Division,			£		
_____ DIVISION.					
Similar particulars to be repeated according to the circumstances, in regard to each Division or District of Divisions, which is contested.			£		
Total (A),			£		
SUMMARY.					
Union at Large,			£	s.	d.
Electoral Division of,					
" "					
Total of Election Expenses (B),					

^a The number of Vouchers for the Account to be stated. [LIST
^b State the number of Voting Papers.
^c State number of men.
^d One day, or where absolutely necessary, two days, as the case may be.

FORM OF ACCOUNT,—continued.

List of Persons whose Accounts are included herein, and sent as Vouchers herewith.

Name of Person.	Office or Business.	For what incurred.	Number of Voucher.	Amount.		
				£	s.	d.
	Returning Officer,	Postage, &c.				
	Printer, . . .	Notice and other Forms,				
	Assistant, . . .	Making Lists of Voters,				
	Constabulary, . .	Distribution and Collec-				
		tion of Voting Papers,				
	Collectors, . . .	Issuing and Examination				
		of Voting Papers,				
Total (C),						

Signature, _____ Returning Officer.

Date: —

NOTE.—The Totals (A, B, and C), will, of course, be of the same amount.

No. 8.—INSTRUCTIONS as to Returning Officer's Account of Election Expenses, referred to in foregoing Circular, No. 6.

CIRCULARS.

Instructions as to Returning Officer's Account of Expenses.

*Poor Law Commission Office, Dublin,
10th February, 1852.*

SIR,

1. Adverting to paragraph 22 of the Commissioners' recent Circular, which stated, in reference to the Election of Guardians, that immediately on the close of the Election, an Account of the Expenses of the same is to be transmitted to the Commissioners for examination and sanction, in a Form to be forwarded for the purpose, I am directed by the Commissioners for administering the Laws for Relief of the Poor in Ireland, now to enclose to you a copy of the Form in which such Account is to be made out.

2. You are requested immediately after the Return of the Election is made, to obtain the Accounts of any persons employed in the same, which should specify the dates and nature of the particular duty on which each was employed, the length of time

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Instructions
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ing Officer's
Account of
Expenses.

during which he was employed, and the rate of payment proposed ; and to obtain also the Account of the Printer for the Election Forms and Placards which you procure from him, including the copies of the Notice of the Election transmitted through this office. Your attention is requested to Articles 39 and 40 of the General Order of the 26th ultimo, as to the Expenses which are chargeable to the Union at large, and to Electoral Divisions in case of contests, respectively ; and you will proceed to make up your Account of the Expenses of the Election accordingly, and forward it for examination to the Commissioners, who will transmit it, if approved, to the Board of Guardians for payment.

3. Your Account, when sent to the Commissioners, should be accompanied by the Bills or Accounts of the parties above referred to, as *Vouchers, which are to be numbered consecutively* (each Voucher having a separate number) ; *and corresponding references should be inserted in the column left in the Form of Account for the purpose.* The Vouchers should be sent at the same time as the Returning Officer's Account, so as to prevent delay in the settlement of it from any omission in this respect.

4. The Constabulary post the Notices of the Election without charge. The Constabulary are to be allowed 1s. a day each, while employed for the purpose of distributing and collecting Voting Papers ; and they are to be allowed pay for *one man for one day* for attending to receive the Voting Papers from the Returning Officer, and for *another day* to return them to him, *for each contested Division or Headquarters concerned.* But when the services of the Constabulary cannot be procured for distributing and collecting the Voting Papers, the Form of the Account is to be altered accordingly in the items relating to that service : and where it may be necessary specially to employ persons other than the Constabulary for the distribution and collection of the Voting Papers, 2s. a day is the usual allowance. The *dates* on which the respective parties are employed, and other particulars indicated in the above paragraph 2, should be specified in the Accounts of the parties, which are to be forwarded as Vouchers ;

and it is desirable either that these Accounts for the several Electoral Divisions or Wards should be separate, or that the particulars as to each Division or Ward should be distinguished from those as to other Divisions or Wards in the respective Vouchers.

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GUARDIANS :
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as to Return-
ing Officer's
Account of
Expenses.

5. The several Collectors are to attend the Returning Officer, in pursuance of Articles 3, 12, 21, and 33, of the General Election Order of the 26th ultimo, at certain periods of the Election. They are to assist him in examining the qualifications of persons to nominate or to be elected for the office of Guardian, without charge for his duty, which may be performed on the day of the Collectors' attendance for the examination of their Accounts, or on a day to be named for the purpose in the case of each Collector. A moderate allowance may be made for the attendance of the Collectors, where necessary, under Articles 21 and 33 of the Order.

6. The Election is to be conducted with due regard to economy ; and until you shall have to prepare Lists of Voters for the Constabulary, you will not require assistance in the performance of your duties ; and no allowance can be made for any Expenses incurred by employing any person without authority. But if the number of Voters in contested Divisions or Wards should be so great as to render assistance necessary for preparing the Lists, the Commissioners, on receiving a report from you to that effect, stating *the circumstances which render the application for assistance necessary*, and the *particular purposes* for which it is required, with the *probable number of Voters* and the *extent of assistance required*, will be prepared to authorize the employment of such assistance and for such time as may be absolutely necessary. No charge for other assistance than that referred to in the preceding paragraphs is to be inserted without the previous authority of the Commissioners for the employment of such assistance ; and *the number and date of the letter giving their authority or sanction are to be quoted on the face of the Account*. Wherever assistance is charged for, the names of the parties employed, as well as the *dates* and nature of their employment, are to be specified in their Accounts,

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ing Officer's
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which are to be forwarded as Vouchers, as already directed (paragraph 3); and this Instruction applies to the assistance of the Collectors above referred to, as well as of other parties.

7. The charge for Voting Papers, where they are required, is not to *exceed*, in any case, 2s. per 100, at which rate they may be obtained in Dublin. If you cannot obtain them at that rate in the Union or elsewhere, Mr. THOM, Printer, Abbey-street, Dublin, will furnish them at the price here stated, on your transmitting to him a Form of Voting Paper, properly filled, for each Division, District, or Ward, in which a contest shall occur, taking care to mark on each paper the number of copies required. The *number* of Voting Papers required and obtained for any Electoral Division, District, or Ward, should be stated on the face of your Account.

8. The Account of Expenses of any Supplemental Election that may take place during the year, is to be made up and sent in, in like manner, immediately after such Election, in the proper Form, which will be supplied for the purpose. The Account of Expenses of *each* Election should be separate and distinct from any other.

By Order of the Commissioners,

W. STANLEY, *Secretary.*

To the Returning Officer of each Union.

Remunera-
tion of
Returning
Officer.

NO. 9.—REMUNERATION OF RETURNING OFFICER for his SERVICES in the ELECTION of GUARDIANS:—Circular to Boards of Guardians concerned, referred to in foregoing Circular, No. 6.

*Poor Law Commission Office, Dublin,
10th February, 1852.*

SIR,

1. The Commissioners for administering the Laws for Relief of the Poor in Ireland, having issued a General Order for regulating future Elections of Guardians in the Unions in Ireland, have had under consideration the Form of Account of Expenses of the same, and the mode of remunerating the Returning Officer for his services in the conduct of such Elections.

2. In some Unions, the Returning Officer's Remuneration has been included in, and paid at the same periods with, his Salary as Clerk of the Union, his remuneration as Returning Officer not being included, in that case, in the Returning Officer's Accounts of the Election Expenses. In other Unions, the annual allowance to the Returning Officer, for conducting any Election which may occur during the year has been included in his Account for the Annual Election in March, and has been paid in advance for the whole year in the payment of that Account.

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GUARDIANS:
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tion of
Returning
Officer.

3. The latter course is open to objection, inasmuch as in the event of the person who fills the office of Clerk and performs the duties of Returning Officer at the Annual Election in March, ceasing to hold the office, and another person being appointed, before the close of the year commencing 25th March, the former may have received the Returning Officer's Remuneration for the entire year, and the latter may be required to conduct Elections to supply vacancies in the number of Guardians that may occur during the year; and in this case, the Guardians would be liable to be called upon to pay the Remuneration of the latter for his services as Returning Officer, in addition to the Amount paid to the previous Returning Officer for the year.

4. Under these circumstances, the Commissioners think it would be preferable that the Remuneration of the Clerk for his services as Returning Officer should be paid, not in one sum in advance included in his Account of the Expenses of the Annual Election, but in periodical payments from time to time, in like manner with his Salary as Clerk, and in like manner with the Salaries of other Officers of the Union.

5. The Commissioners do not propose to make any alteration in the amount of the Remuneration hitherto allowed to the Returning Officer of the Union, namely, £—— per Annum; and they request that the Guardians will cause him to be paid at that rate, from time to time, at the respective periods when the Officers' Salaries are payable.

6. Under this arrangement, the Returning Officer is not to include any charge for his own Remune-

ELECTION OF
GUARDIANS:
CIRCULARS.

Remunera-
tion of
Returning
Officer.

ration, in the Account which he is required to make out of the Expenses of the Election, his Salary being paid independently of that Account.

I have, &c.,

W. STANLEY, *Secretary.*

*To the Presiding Chairman of the
Board of Guardians.*

Payment of
Election
Accounts.

No. 10.—FORM OF LETTER TRANSMITTING RETURNING OFFICER'S ACCOUNT OF ELECTION EXPENSES FOR PAYMENT, after EXAMINATION.

*Poor Law Commission Office, Dublin,
185 .*

——— *Union.*

SIR,

1. The Commissioners for administering the Laws for Relief of the Poor in Ireland, having received the Returning Officer's Account of Expenses attending the General Election of Guardians in the above Union, in March last, the same has been examined and passed as enclosed; and the Commissioners now forward the Account, amounting to £—s.—d. for payment, by the Board of Guardians, of the sums due to the respective parties concerned.

2. The sums due should be paid to the respective parties concerned, in the ordinary manner in which payments are required to be made by the Board of Guardians; and after such payment has been made, the receipts of the parties attached to the Bills as Vouchers, should be laid before the Guardians for their inspection, and be afterwards submitted to the Auditor at his next Audit of the Accounts of the Union. Such Bills and Receipts should be laid before the Board of Guardians at the meeting next after payment is directed by them to be made; and an entry should be made accordingly in the Guardians' Minutes when this shall have been done.

3. You are requested to lay this communication before the Guardians, at the same time with the Account.

By Order of the Commissioners,

A. MOORE, *Assistant Secretary.*

To the Clerk of the ——— Union.

PART II.

2.—GENERAL REGULATIONS.

GENERAL ORDER OF 19TH JANUARY, 1852,

FOR REGULATING THE

MEETINGS AND PROCEEDINGS

OF

BOARDS OF GUARDIANS IN IRELAND,

AND THE

APPOINTMENT AND DUTIES

OF

UNION OFFICERS.

WITH CIRCULARS OF INSTRUCTIONS.

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PART II. 2.

GENERAL ORDER OF 19TH JANUARY, 1852,

FOR

REGULATING THE MEETINGS AND PROCEEDINGS

OF THE

BOARDS OF GUARDIANS IN IRELAND,

AND THE APPOINTMENT AND

DUTIES OF UNION OFFICERS.

To the GUARDIANS of the POOR of the several UNIONS named in the Schedule hereunto annexed^a, and the OFFICERS of such Unions; to the Clerk or Clerks to the Justices of the Petty Sessions, held for the Division or Divisions in which the Townlands and Places comprised within the said Unions are situate; and to all others whom it may concern.

GENERAL
REGULA-
TIONS:
19 JAN. 1852.

WE, the Commissioners for administering the Laws for Relief of the Poor in Ireland, in pursuance of the authorities vested in us by an Act passed in the Second Year of the Reign of Her Majesty Queen Victoria, intituled, "An Act for the more effectual Relief of the Destitute Poor in Ireland," and by the other Acts in force for the Relief of the Poor in Ireland, and amending the said Act, do hereby rescind so much of every Order heretofore issued by the Poor Law Commissioners, or the Commissioners for administering the Laws for Relief of the Poor in Ireland, to the several Unions named in the Schedule hereunto annexed^a, and now in force, as is in any way affected or altered by the Regulations herein contained, except so far as the same may have authorized the making of any Contract not yet executed, or the appointment of any of the existing Officers, or the giving and receiving of securities for the performance of their duties.

Rescinding
of previous
Regulations.

^a Page 637. The order applies to all the Unions in Ireland.

GENERAL
REGULA-
TIONS:
19 JAN. 1852.

Meetings of
Guardians.

And We do hereby Order, Direct, and Declare, with respect to each and every of the Unions named in the said Schedule^a, as follows:—

MEETINGS OF THE GUARDIANS.

ARTICLE 1.—No Guardian shall act in virtue of his office, otherwise than as a member and at a meeting of the Board of Guardians, legally assembled.

Provided, however, that in cases where the consent of a majority of the total number of the Guardians of an Union, or where the consent of the Guardian, or of a majority of Guardians of any Electoral Division, is required by the said Acts, it shall be lawful for any Guardian to give his consent otherwise than at a meeting of the Board of Guardians.

Provided, also, that this article shall not be construed to apply to cases in which the said Acts, or any Orders of the Commissioners, may specially authorize a Guardian to act otherwise than at a meeting of the Board of Guardians.

ARTICLE 2.—The Guardians shall, upon the day of the week, and the hour of the day, and at the place already appointed for holding the Ordinary Meetings, hold an Ordinary Meeting, once at the least in every week, for the execution of their duties; and may, when they think fit, change the period, time, and place, with the consent of the Commissioners previously had and obtained;—provided, however, that if they shall think fit, the Guardians may, with the previous consent of the Commissioners, appoint more than one day in each week for the transaction of the ordinary business of the Union.

ARTICLE 3.—The Guardians shall, at the first meeting after every annual or general election of Guardians for the Union, elect, out of the whole number of Guardians, a Chairman, Vice-Chairman, and Deputy Vice-Chairman, who shall respectively continue to hold their offices until the next annual or general election of Guardians shall take place,

^a Page 637. The order applies to all the Unions in Ireland.

unless they shall previously die, resign, become incapable, or be disqualified by ceasing to be Guardians of the Union.

GENERAL
REGULA-
TIONS:
19 JAN. 1852.

ARTICLE 4.—If a Chairman, Vice-Chairman, or Deputy Vice-Chairman, die, resign his office, or become incapable or disqualified to act as Chairman, Vice-Chairman, or Deputy Vice-Chairman, before the expiration of the term of office, the Guardians shall, within one month after the occurrence of the death, resignation, incapacity, or disqualification, elect some other Guardian to such office, as the case may require; but no ex-officio Guardian shall be deemed to vacate such office at the period prescribed by law for the selection of ex-officio Guardians, if he continue to act as ex-officio Guardian at and after such period according to law.

Meetings of
Guardians.

ARTICLE 5.—No act of any meeting of the Guardians shall be valid unless three Guardians at least be present, and, if no greater number of Guardians be present, unless they shall all of them concur therein.

ARTICLE 6.—If three Guardians be not present at any meeting, an entry of that fact shall be made in the Minute Book, by the Clerk to the Guardians; and the time for holding such meeting shall be deemed to have expired as soon as the said entry shall have been made. But one hour at least shall be allowed to elapse from the time fixed for the commencement of the meeting, before such entry shall be made: and the Clerk to the Guardians shall report the fact of such failure of attendance to the Commissioners, on the following day.

ARTICLE 7.—If three or four or more Guardians be present at any Ordinary Meeting, such three, or the majority of such four or more Guardians, may adjourn the same to the day of the next Ordinary Meeting, or to some other day previous to the next Ordinary Meeting.

ARTICLE 8.—An Extraordinary Meeting of the Guardians may be summoned to be held at any time, upon the requisition of any two Guardians, addressed to the Clerk of the Guardians. Every such requisition shall be made in writing, according

GENERAL
REGULA-
TIONS:
19 JAN. 1852.

Meetings of
Guardians.

to the Form (A) hereunto annexed^a; and no business other than the business specified in the said requisition, shall be transacted at such Extraordinary Meeting.

ARTICLE 9.—Notice of every such Extraordinary Meeting, and Notice of every Change in the period, time, or place of holding any Ordinary Meeting, and notice of the adjournment of any Meeting, shall be given in writing to every Guardian. Every such notice shall be, respectively, according to the Forms B, C, and D, hereunto annexed^b, and shall be given or sent by the Clerk to every Guardian, or left at his place of abode, two days, if practicable, before the day appointed for the meeting to which it relates: but if any case of emergency should arise, requiring that an extraordinary Meeting of the Guardians should immediately take place, notice shall nevertheless be given to as many of the Guardians as may be practicable, and they or any three of them, shall meet at the ordinary place of meeting, and take such case into consideration, and may make an order or orders thereon.

PROCEEDINGS OF THE BOARD.

Proceedings
of the Board.

ARTICLE 10.—At every meeting, the Chairman, or in his absence the Vice-Chairman, or in his absence the Deputy Vice-Chairman, shall preside; and if at the commencement of any meeting the Chairman, Vice-Chairman, and Deputy Vice-Chairman be absent, the Guardians present shall elect one of themselves to preside at such meeting as Chairman thereof, until the Chairman, Vice-Chairman, or Deputy Vice-Chairman (as the case may be) may take the Chair.

ARTICLE 11.—Every question at any meeting consisting of more than three Guardians, shall be determined by a majority of the votes of the Guardians present thereat, and voting on the question; and when there shall be an equal number of votes on any question, such question shall be deemed to have been lost.

ARTICLE 12.—The Presiding Chairman shall be entitled to give one vote upon each question that

^a Page 636.

^b Page 637.

may be submitted to the Guardians; but he shall not, under any circumstances, be entitled to any additional vote or casting vote.

GENERAL
REGULA-
TIONS:
19 JAN. 1852.

ARTICLE 13.—No resolution previously agreed to or adopted by the Board of Guardians shall be rescinded, altered, or amended (except in pursuance of an Order, Regulation, or Request of the Commissioners), unless some Guardian shall have given to the Board fourteen days' notice of a motion to rescind or alter such resolution; and such notice shall be in writing, and shall be forthwith entered on the Minutes by the Clerk, who shall, within seven days after such entry, forward a copy of the same to each Guardian.

Proceedings
of the Board.

Provided always, that this regulation shall not extend to any resolution which relates only to the admission into, or the discharge from, the Workhouse, of any destitute person, or to any decision of the Guardians arising on their examination, approval, or correction of the Register of persons relieved.

ARTICLE 14.—The Guardians may, from time to time (as occasion may require), appoint a Committee to consider and report on any subject or matters referred to them, and the Guardians shall name one Member of every such Committee to be Chairman of the same; and such Committee may meet at such times and places as to them may seem convenient: but no act or decision of any such Committee shall be deemed to be the act of the Board of Guardians unless the same shall have been reported to, and expressly adopted by, the said Board.

ARTICLE 15.—At every Ordinary Meeting of the Guardians, the business shall be conducted in the following order:—

1stly.—The Minutes of the last Ordinary Meeting, and of any other meeting which may have been held since such Ordinary Meeting, shall be read to the Guardians, and signed by the Chairman presiding at the meeting at which such Minutes are read; and an entry of the same having been so read, shall be made in the Minutes of the day when read*.

* The Marriage Act (7 & 8 Vic. c. 81, § 15) requires that notices of intended marriage received by the Clerk of the Guardians, should

GENERAL
REGULA-
TIONS:
19 JAN. 1852.

Proceedings
of the Board.

2ndly.—The Guardians shall examine, and approve or correct (if necessary), the Register Book of persons admitted into and relieved in the Workhouse, and the Out-door Relief Register; and such Register Books, when so examined and approved or corrected, shall be signed by the Chairman and countersigned by the Clerk.

3rdly.—They shall receive and consider the Report of the Clerk or other Officer upon the execution of all orders made by the Board at such previous meeting, or any preceding meeting; and shall give such further directions thereon as may appear necessary.

4thly.—They shall examine the Clerk's Accounts, the Treasurer's Book of Receipts and Payments, the Accounts of the Collectors of Rates, the Accounts and other Books of the Master of the Workhouse, the Medical Officer's Weekly Return Book, the several Relieving Officers' Accounts, and the Accounts which may be required to be kept by any other Officer in the Union; and shall see that such of them as are required to be authenticated by the Clerk are duly authenticated and signed by him; and they shall thereupon direct such cheques to be drawn on the Treasurer, and such orders to be made on Contractors, as may appear necessary to provide for the relief of the destitute Poor in the Workhouse, and by the Relieving Officers in their several districts; and every such cheque or order shall be signed by the presiding Chairman and two Guardians, and countersigned by the Clerk.

5thly.—They shall examine the Reports of the several Officers, and the Report of the Visiting Committee of the Workhouse, and make such orders thereon respectively as may appear to them fitting and expedient.

6thly.—They shall take into consideration all letters addressed by the Commissioners to the Presiding Chairman, or to the Clerk of the Union, and all other correspondence relating to the business of the Union; and such directions as the Board may give thereon shall be recorded on the Minutes.

7thly.—They shall consider and decide upon, and give the necessary directions respecting all provisional admissions into the Workhouse since the last Ordinary Meeting of the Guardians.

8thly.—They shall take into consideration the Report of any District Committee of Guardians, appointed under an Order of the Commissioners to receive and examine applications for relief^a; and they shall further consider all applications for relief, and the

be read by him immediately after the Minutes of proceedings of the Guardians at their last meeting shall have been read: and the reading of them should be recorded in the Minutes. See act, and note thereon, in p. 396.

^a Under § 6 of 10 Vic. c. 31 (p. 131-2).

particulars recorded in regard to each case in the Application and Report Book of each Relieving Officer, and shall decide whether any, and if so, what relief or further relief should be granted in each particular case, in pursuance of the Laws for the Relief of the Poor; and the decision of the Board shall be forthwith recorded in the said Books, to be authorized by the signature or initials of the presiding Chairman in the columns respectively provided for that purpose.

GENERAL
REGULA-
TIONS:
19 JAN. 1852.
—
Proceedings
of the Board.

9thly.—They shall consider the Report of the Master of the Workhouse, and order the discharge of such persons as appear to be no longer proper objects of relief in the Workhouse of the Union.

10thly.—They shall, subject to the approval of the Commissioners, determine the kind of work to be performed by the persons admitted into the Workhouse, and give all needful directions concerning the management and discipline of the Workhouse of the Union, and the providing of furniture and stores, and other articles^a.

11thly.—They shall proceed to examine and select from amongst the candidates presenting themselves before them, competent persons to fill any vacancy or vacancies that may exist amongst the Officers whom the Guardians are legally empowered to appoint, due notice having been previously given of such election, as hereinafter provided.

12thly.—They shall consider any resolution proposed by any Guardian, not having immediate reference to the business previously under their consideration, due notice having been given thereof, if necessary, as hereinbefore provided in Article 13; and their decision on such proposed resolution shall be recorded on the Minutes of their proceedings.

13thly.—The Presiding Chairman shall receive, and shall cause to be read aloud by the Clerk, and entered upon the Minutes, any Notice for the election of an Union Officer, or any Notice of any resolution relating to the administration of the laws for the relief of the poor, intended to be proposed at any future Meeting of the Guardians.

Provided, however, that when it shall appear to them necessary, the Guardians shall be enabled to depart from the order of proceedings hereinbefore laid down.

And provided also, that whenever the Guardians shall have appointed more than one day in each week for their Ordinary Meetings, they shall apportion the business to be transacted at each such Meeting, so far as such busi-

^a See Workhouse Rules, as to appointment and duties of Visiting Committee, and duties of Workhouse Officers; p. 646.

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REGULA-
TIONS:
19 JAN. 1852.

Proceedings
of the Board.

ness may be connected with the attendance of any Officer of the Union or the performance of any particular duty by any such Officer, in such manner that the same business shall invariably be transacted upon one of the days fixed for the Meeting of the Guardians; and whenever it is herein provided that any act shall be performed at each ordinary Meeting of the Guardians, such provision shall be interpreted to mean such day of weekly Meeting as shall be appointed by the Guardians for that purpose.

CONTRACTS.

Contracts.

ARTICLE 16.—All Contracts to be entered into on behalf of the Union relating to the maintenance, clothing, lodging, employment, or relief of the Poor, or for any other purpose relating to or connected with the general management of the Poor, shall be made and entered into by the Guardians^a.

ARTICLE 17.—The Guardians shall require Tenders^b to be made in some sealed paper for the supply of all provisions, fuel, clothing, furniture or other goods, or materials, the consumption of which may be estimated, one month with another, to exceed ten pounds per month; and also of all furniture, or materials, the cost of which may be reasonably estimated to exceed ten pounds in a single sum.

ARTICLE 18.—Any work or repairs to be executed in the Workhouse, or the premises connected with the Workhouse, or any fittings to be put up therein, which shall respectively be reasonably estimated to exceed the cost of twenty pounds in one sum, shall be contracted for by the Guardians, on sealed Tenders, in the manner prescribed in Articles 16 and 17.

ARTICLE 19.—Notice of the nature and conditions of the Contract to be entered into, of the last day and hour on which Tenders will be received, and the day on which the Tenders will be opened, shall be given in some newspaper circulating in the Union, and in such other manner as the Guardians

^a For Forms of Contracts for Supplies, see Part IV.

^b Form of Tender, Part IV. No. 7.

may direct, not less than ten days previous to the last day on which such Tenders shall be received; and no Tender shall be opened by the Clerk, or any Guardian, or other person, before the day specified in such notice, or otherwise than at a meeting of the said Guardians.

GENERAL
REGULA-
TIONS:
19 JAN. 1852.
Contracts.

ARTICLE 20.—When any Tender shall be accepted, the party making the Tender shall, in pursuance of these regulations, enter into a Contract, in writing, with the Guardians, containing the terms, conditions, and stipulations mutually agreed upon; and whenever the Guardians shall deem it advisable, the party contracting shall, in like manner, find one or more surety or sureties, who shall enter into a bond in such penalty as the Guardians shall think fit, conditioned for the due performance of the Contract^a.

ARTICLE 21.—The Contracts shall be in such form as the Commissioners may, from time to time, prescribe or approve, if any form shall have been prescribed or approved for that purpose by the Commissioners^a.

ARTICLE 22.—Provided always, that if from the peculiar nature of any furniture, provisions, goods, materials, or fittings to be supplied, or of any work or repairs to be executed, it shall appear to the Guardians desirable that a specific person or persons be employed to supply or execute the same, or that they should be purchased without requiring sealed Tenders, as hereinbefore directed, it shall be lawful for the Board of Guardians, with the consent of the Commissioners first had and obtained, to enter into a Contract with such person or persons as may be deemed best qualified to supply or execute the same, and to require such sureties and securities as are specified in Article 20, or to purchase such furniture, provisions, goods, materials, or fittings, in such other manner as the Commissioners may direct or sanction.

RELIEF BY WAY OF LOAN.

ARTICLE 23.—Any relief in the Workhouse, or

Relief by way
of Loan.

^a For Forms of Contracts and Bonds, see Part IV.

GENERAL
REGULA-
TIONS:
19 JAN. 1852.

the cost price thereof, which the Guardians shall, after due consideration of the circumstances of the case, think fit to give by way of Loan, shall be given by way of Loan, and shall be recoverable as such under the provisions of the said first-recited Act^a.

ORDERS FOR PAYMENT OF MONEY.

Orders for
Payment of
Money.

ARTICLE 24.—The Guardians shall pay every sum amounting to Three Pounds or more, by a distinct and separate cheque or order, which shall be drawn upon the Treasurer of the Union, and shall be signed by the presiding Chairman of the meeting and two other Guardians present thereat, and shall be countersigned by the Clerk to the Guardians.

APPOINTMENT OF PAID OFFICERS.

Paid Officers.

ARTICLE 25.—The Board of Guardians shall, as soon as may be requisite, and from time to time hereafter upon the occurrence of any vacancy, appoint fit persons to perform respectively the duties specified by the Rules and Regulations of the Commissioners, in force at the time, to be the duties of the following Officers:—

1. Clerk of the Guardians.
2. Treasurer of the Union.
3. Medical Officer of the Workhouse.
4. Master of the Workhouse.
5. Matron.
6. Porter.
7. Schoolmaster.
8. Schoolmistress:

And shall appoint such Assistants as the Board of Guardians, with the consent of the Commissioners, shall deem necessary for the efficient performance of the duties of the said several Officers.

And the Guardians shall further appoint so many Relieving Officers as the Commissioners shall from time to time require and approve; and shall assign to such Relieving Officers such Electoral Division or Divisions, or such parts thereof, as the Commissioners may direct or approve.

And in case any Collector of County Cess shall not offer to collect the Poor Rates in any Elec-

^a 1 & 2 Vic. c. 56, § 55 (p. 43.)

toral Division or Divisions, in which or in any part whereof he is authorized to collect the County Cess, and be approved by the Commissioners as a fit person to collect Rates, or shall not give such security, or accept such salary or allowance as the Commissioners shall approve, the Guardians shall appoint one or more persons to act as Collectors of Poor Rates for such District or Districts as the Commissioners shall approve.

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REGULA-
TIONS:
19 JAN. 1852.
Paid Officers.

ARTICLE 26.—The Officers so appointed to or holding any of the said offices shall respectively perform such duties as may be required of them by the Rules and Regulations of the Commissioners in force at the time, together with all such other duties, conformable with the nature of their respective offices, as the Board of Guardians may lawfully require them to perform^a.

ARTICLE 27.—The Board of Guardians shall, from time to time, if they shall desire to make any change in the division of the Union into Districts for the collection of the Poor Rate, or in the assignment of Collectors to such Districts, or in the Districts of Relieving Officers, report every such change to the Commissioners for their approbation.

MODE OF APPOINTMENT.

ARTICLE 28.—Every Officer and Assistant to be appointed under this Order, shall be appointed by a majority of the Guardians present at any meeting of the Board, in the manner directed in Article 11; and every such appointment shall, as soon as the same shall have been made, be reported to the Commissioners by the Clerk to the Guardians.

Mode of
appointing
Officers.

ARTICLE 29.—No appointment of any Officer shall be made under this Order, unless notice that such appointment will be made shall have been given and entered on the Minutes at one of the two Ordinary Meetings of the Board next preceding the Meeting at which the appointment shall be made, and unless an advertisement giving notice of such appointment, shall, by the direction of the Guardians, entered on their Minutes, have

* Regulations as to duties of officers, herein, p. 626 *et seq.* and in Workhouse Rules (p. 646); and Accounts Order (p. 687).

GENERAL
REGULA-
TIONS:
19 JAN. 1852.

appeared in some public paper, at least seven days before the day on which such appointment shall be made.

QUALIFICATIONS OF OFFICERS.

Qualifica-
tions of
Officers.

ARTICLE 30.—No person shall be appointed by the Guardians as a Collector of Poor Rates or Relieving Officer who is engaged in retail trade of any kind.

ARTICLE 31.—If the Master and Matron be respectively husband and wife, and one of them should be dismissed by Order of the Commissioners, or should otherwise vacate his or her office, the other shall not be qualified to hold his or her office of Master or Matron, as the case may be, after such dismissal or vacating of office.

ARTICLE 32.—No person shall hold any Office under this Order who shall not have reached the age of twenty-one years.

ARTICLE 33.—Provided always, that the Guardians may, with the consent of the Commissioners previously obtained, but not otherwise, dispense with any of the conditions specified in Articles 30, 31, and 32.

ARTICLE 34.—The qualifications of every Medical Officer hereafter to be appointed shall be as follows, that is to say:—

No. 1.—He shall be duly licensed to practise as a medical man, and shall have obtained Letters testimonial of his qualification to practise Surgery from the Royal College of Surgeons in Ireland, or the diploma of the Royal College of Surgeons of England, or the degree or diploma of Surgery of some other College or Body in Great Britain or Ireland, duly authorized to grant the same; and also a Certificate from some recognised Hospital of his possessing a competent knowledge of Midwifery. Provided, that where the number of Medical Officers to be appointed for the Workhouse of an Union shall be more than one, any part of the above qualifications may be dispensed with, which we, the said Commissioners, shall, under the circumstances of each case, deem it unnecessary to require.

No. 2.—He shall have reached the age of 23 years.

ARTICLE 35.—No person shall be appointed to the office of Master, Matron, Relieving Officer, Schoolmaster, Schoolmistress, or Porter, under this

Order, who will not agree to give one month's notice previous to resigning the office, or to forfeit one month's amount of salary, to be deducted as liquidated damages from the amount of salary due at the time of such resignation.

GENERAL
REGULA-
TIONS:
19 JAN. 1852.

SALARIES OF THE OFFICERS.

ARTICLE 36.—The Board of Guardians shall pay to the several Officers and Assistants appointed to or holding any office or employment under this Order, such salaries or remuneration as the Commissioners may, from time to time, direct or approve.

Officers'
Salaries.

Provided always that, if no such remuneration or salary be expressly assigned to the Treasurer, the payment for the services of such Treasurer shall be deemed to be the profit arising from the use of money from time to time left in his hands.

ARTICLE 37.—The salary to be paid to the Clerk to the Guardians on account of the several duties hereinafter prescribed to be performed by him, shall be deemed to include all remuneration heretofore allowed to such Clerk on account of any Assistant who may from time to time be employed to aid in the performance of such duties, or on account of extra or additional labour which may from time to time be imposed upon him; excepting only such payment on account of travelling expenses actually incurred by such Clerk in attending at any Court of Justice held out of the Union upon the legal business of the Guardians, as may from time to time be sanctioned by the Commissioners.

ARTICLE 38.—The salary of every Officer or Assistant appointed to or holding any office or employment under this Order, shall, subject to the regulations in Article 35, and to the obligation to account to the Auditor, be payable up to the day on which he ceases to hold such office or employment and no longer; but no Officer having been suspended by the Board of Guardians, in pursuance of Article 42, and who shall, without the previous removal of such suspension, be dismissed by the

GENERAL
REGULA-
TIONS:
19 JAN. 1852.

Officers'
Securities.

Commissioners, shall be entitled to any salary from the date of such suspension.

SECURITY OF OFFICERS.

ARTICLE 39.—The Board of Guardians shall require every person appointed, or to be hereafter appointed, to the offices of Treasurer, Clerk, Master or Matron of the Workhouse, and every assistant employed therein in any office of trust, and every Relieving Officer and Collector of Rates, to give a Bond in such penal sum as the Guardians shall think fit, with two sufficient Sureties, not being Guardians of the Union, conditioned for the due and faithful performance of the duties of the Office^a; and shall, from time to time, call upon such Officers to supply a fresh Surety in place of any such Surety who may die, or become a Guardian, or become bankrupt or insolvent, or be released from his obligation; and every such Officer shall give immediate notice to the Board of Guardians of the death, insolvency, or bankruptcy of either of his Sureties, and shall, when required by the Guardians, in pursuance of the above regulation, supply a fresh Surety in the place of any Surety previously supplied by him.

Provided that if it shall seem fit to the Board of Guardians, not to require that the Treasurer, being a Banker or a Partner of a firm engaged in Banking, should execute a Bond with Sureties as aforesaid, it shall be lawful for the Guardians, unless specially directed by the Commissioners to require such Security, to dispense with the execution of such Bond by such Treasurer.

ARTICLE 40.—The Board of Guardians shall provide for the safe custody of all Bonds given in pursuance of the Regulations of the Commissioners, and so always that no Bond given by any Person shall remain in the custody of such person himself; and the Guardians shall, once in every year, (that is to say, at the Audit next after the twenty-fifth day of March,) cause every person having the

^a For Forms of Bonds for Officers, see Part IV.

custody of Bonds given by any Officer of the Union, or by any Contractor for supplies, to produce such Bonds to the Auditor for his inspection; and the fact of such inspection and any defects apparent in the said Bonds, shall be reported by the Auditor to the Board of Guardians^a.

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TIONS:
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CONTINUANCE IN OFFICE AND SUSPENSION OF
OFFICERS:—SUPPLY OF VACANCIES.

ARTICLE 41.—Every Officer appointed to or holding any office under this Order, shall continue to hold the same until he die, or resign, or be removed by the Commissioners: and every Porter or Assistant may be dismissed by the Board of Guardians without the consent of the Commissioners; and every such death or resignation, and every such dismissal, and the grounds thereof, shall be reported to the Commissioners.

Suspension,
&c., of
Officers;
Supply of
Vacancies.

Provided always, that no Collector of Poor Rates, appointed in any district under the provisions of this Order, shall be deemed to continue to hold such Office after the Guardians shall have withdrawn the Warrant by which he was authorized to collect rates in such district.

ARTICLE 42.—The Board of Guardians may, at their discretion, suspend from the discharge of his duties any Union Officer, except the Clerk, Auditor, Chaplain, or Treasurer; and shall forthwith report such suspension, together with the cause thereof, to the Commissioners; and if the Commissioners shall remove such suspension, such Officer shall remain and continue to discharge his duties.

ARTICLE 43.—If any Officer or Assistant, appointed to or holding any Office under this Order, be at any time prevented by sickness or accident, or other sufficient reason, from the performance of his duties, the Guardians may appoint a fit person to act as his temporary substitute, and may, subject to the approval of the Commissioners, pay him a reasonable compensation for his services; and every such appointment shall be re-

^a Form for Auditor's Half-yearly statement as to Bonds (Form 4 B), in Accounts Order of 8 April, 1853, (Part II, 4).

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TIONS:
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Suspension,
&c., of
Officers;
Supply of
Vacancies.

ported to the Commissioners by the Clerk to the Guardians, as soon as the same shall have been made.

Provided always, that, except under the provisions of this Article or with the special permission of the Commissioners first had and obtained on the application of the Board of Guardians, every Officer shall perform his several duties in person, and shall, on no account, intrust the same to a deputy.

ARTICLE 44.—If a Medical Officer be temporarily incapacitated from performing his duties, he shall recommend to the Guardians a Medical Practitioner competent to perform his duties during such temporary incapacity.

ARTICLE 45.—The Vice-Chairman, Deputy Vice-Chairman, or some Guardian to be appointed by the Board of Guardians, may perform any of the duties assigned to the Clerk until any vacancy in the office shall have been filled, or until a substitute be appointed, in the case of the Clerk's absence through sickness, accident, or other sufficient reason, as provided for in Article 43.

ARTICLE 46.—No Workhouse Officer, who may have been dismissed by any Order of the Commissioners, shall, after such dismissal, remain upon the Workhouse premises, or enter therein for the purpose of interfering in the management of such Workhouse, unless the said Commissioners shall consent to his subsequent appointment to an office in such Workhouse, under the provisions of the said first-recited Act^a.

Duties of
Clerk.

DUTIES OF THE CLERK TO THE GUARDIANS^b.

ARTICLE 47.—The Duties of the Clerk to the Guardians shall be—

No. 1.—To attend all Meetings of the Board of Guardians; to keep, punctually, Minutes of the proceedings at every Meeting, and to record therein all the particulars which are required by this or any other Order of the Commissioners to be so recorded; to enter the said Minutes in a Book, and to submit the same so entered to the presiding Chairman at the succeeding Meeting, to be confirmed by the

^a 1 & 2 Vic. c. 56, § 33 (p. 26).

^b And see under "Clerk," in Index.

Board, and authenticated by the signature of such Chairman, as a true record of the proceedings of the Board; and also, if required by the Board of Guardians, to attend and assist in the proceedings of all Committees appointed by the Guardians, and to act as Clerk to such Committees.

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TIONS:
19 JAN. 1852.

Duties of
Clerk.

- No. 2.—To provide, at the cost of the Union, all Forms or Books of Accounts, Minutes, or other Books, as required of him by the Regulations of the Commissioners, or relating to the business of the Board of Guardians, and to keep the same, together with all Bills or Accounts, Letters, or other Documents relating to the business of the Union, in a place of safe keeping; to have custody of the keys by which access to such Books and Documents is obtained; and from time to time to produce all such books, documents, and vouchers for the same, together with the Bonds of any Officers or Contractors which may be in his custody, to the Auditor of the Union, at such place and time, and in such manner, as may be required by such Auditor, or by the Regulations of the Commissioners in force at the time*.
- No. 3.—To peruse and conduct the correspondence of the Board of Guardians according to their directions, and to preserve the same, and all Orders of the Commissioners, and letters received, together with copies of all letters sent by direction of the Guardians.
- No. 4.—To receive all requisitions of Guardians for Extraordinary Meetings, and to summon such Meetings accordingly, and to prepare, sign, and send all notices required to be given to the Guardians, by any Order of the Commissioners.
- No. 5.—To keep, and punctually enter up, the Out-door Relief Register; and at each ordinary Meeting of the Guardians, to produce such Out-door Relief Register, together with the Workhouse Register, for the examination, correction, or approval of the Guardians; to submit the same, when so approved or corrected, to the Chairman for his signature, and thereupon to countersign the same.
- No. 6.—To produce at each ordinary Meeting of the Guardians the Ledger Account of the Union, together with such other Accounts as he is required to keep, and also the Treasurer's Book of Receipts and Payments, and to submit the same to the Board of Guardians for their examination; such examination to be attested by the signature or initials of the presiding Chairman.
- No. 7.—Once at least in each fortnight, and, if the Guardians shall so require, once in each week, and at the hour, and on the day, not being the day of

* See further Regulations as to Audit, Art. 53 (p. 636); and Accounts Order of 8 April, 1853, (Part II. 4.) § 1. 9, § VII.

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TIONS:
19 JAN. 1852.

Duties of
Clerk.

Meeting of the Guardians, which the Clerk shall appoint, to examine the Collecting Book, the Rate Receipt Check Book, and Rate Receipt Abstracts, which shall then be produced to him by each Collector of Poor Rates appointed by the Guardians in the Union, and likewise the Treasurer's Receipts for all Lodgments made by such Collector since the last examination of his Accounts; and in examining such Accounts, the Clerk shall compare each counterpart from which a receipt has been detached, with the corresponding entries in the Collecting Book and the Rate Receipt Abstract, and see that the sum for which the receipt was issued has been duly brought to account in each of those Books; and he shall ascertain, and authenticate by his signature or initials, the correctness of the entries in those Books, as well as of the sums total carried forward into the Weekly Balance Sheet of Collector's Receipts and Lodgments.

No. 8.—At the next Meeting of the Guardians, after every such examination of a Collector's Accounts, to lay before the Board of Guardians a copy of the Weekly Balance Sheet of Collector's Receipts and Lodgments for each Electoral Division in the District of such Collector; and in case any Collector shall neglect to attend for such examination, or fail to produce his Accounts as required, to record such omission on the Minutes of the Guardians at their next Meeting.

No. 9.—Previously to each ordinary Meeting of the Guardians, to examine the Accounts required to be kept by the Master of the Workhouse, or by the Assistant Master or other Officer appointed to keep the Accounts of any Auxiliary Workhouse or Fever Hospital in the Union; and also to examine the Clothing Accounts, the Medical Officer's Books, and the Out-door Relief List, and Weekly Receipt and Expenditure Book of each Relieving Officer in the Union; and to ascertain the correctness of the entries made in such Books, and to authenticate the same, if accurate, by his initials, and to report any inaccuracies which he may find in such Accounts to the Board of Guardians, and record such report on the Minutes of their proceedings.

No. 10.—To make up, and produce at each ordinary Meeting of the Board of Guardians, the Abstract of Out-door Relief Lists for the week then last concluded.

No. 11.—To prepare for signature by the Guardians all cheques lawfully drawn on the Treasurer of the Union, and all orders lawfully made on Contractors or other tradesmen, and to record in the Minutes of proceedings of the Guardians the amount of each cheque on the Treasurer, and the name of the

person in whose favour it has been drawn by the Guardians, and all orders given in favour of the Master of the Workhouse, and the Relieving Officers.

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TIONS:
19 JAN. 1852.

Duties of
Clerk.

No. 12.—To communicate all orders and directions of the Commissioners, or of the Board of Guardians, to the Officers or other persons to whom they may be addressed; and so far as may be requisite, to give instructions for the prompt and correct execution of all such orders and directions, and to examine and report on such execution, or on any neglect or failure therein which may come to his knowledge.

No. 13.—To prepare immediately after every ordinary Meeting of the Board of Guardians, a copy of the Minutes of such Meeting, and of every Meeting held since the last ordinary Meeting, and punctually to transmit the same to the Office of the Commissioners, or to the Inspector of the District, as he may be directed.

No. 14.—To prepare and transmit all answers or returns, as to any question or matter connected with, or relating to, the administration of the laws for the relief of the Poor in the Union, or to any other business of the Union, which the Commissioners, or any Inspector, may lawfully require from the Board of Guardians, or from himself.

No. 15.—To give such assistance as the Board of Guardians may properly require in making or copying any Valuation to be prepared or revised under lawful authority for the Assessment to the Relief of the Poor of Hereditaments within the said Union, and in making or copying the Rate to be made thereon.

No. 16.—From time to time, to provide, at the charge of the Union, all necessary Rate Books, and, so far as he may be able, to fill up the same accurately, with the several particulars required by law, in conformity with the Valuation in force at the time, and to permit, at all reasonable times, any person affected by any Rate for the Relief of the Poor, to inspect the Rate Books and Valuation on which such Rate shall have been made, and to take copies or extracts therefrom, as provided by law.

No. 17.—To prepare all written Contracts and Agreements to be entered into by any parties with the Guardians^a, and to see that the same are duly executed; and to prepare all Bonds or other Securities to be given by any of the Officers of the Union^a, and to see that the same are duly executed by such Officers and their Sureties, and that they are, from time to time, renewed, as occasion may require; and in case of the failure of any such persons duly to complete such Bonds or Securities, to give notice

^a Forms of Contracts and Bonds; Part IV. No. 1-9.

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TIONS:
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Duties of
Clerk.

to the Guardians, and record the fact on the Minutes of their proceedings.

No. 18.—Previously to the 29th of September in each year, to ascertain whether the number of Justices qualified under the first-recited Act, to be Ex-officio Guardians in the Union and resident therein, does or does not equal the number of Elective Guardians eligible for the Union; and in case the number of such Justices exceeds or is less than the number of Elective Guardians, to take the necessary steps for the due selection or completion of the proper number of Ex-officio Guardians, according to the provisions of the law in that behalf, and according to any instructions that may have been, or may hereafter be issued by the Commissioners for the purpose^a, and to furnish to the Commissioners from time to time, a list of the ex-officio Guardians for each year. And if, in the preparation of such list, any question arises proper for the decision of a meeting of Justices to be held within fourteen days after the 29th of September in any year, in pursuance of the 24th section of 1 & 2 Vic., c. 56, the Clerk shall give due notice, in writing, to all Justices qualified to act as ex-officio Guardians resident in the Union, of the time and place appointed for them to meet for the purpose of deciding such question or appointing ex-officio Guardians, if circumstances should render such appointment necessary.

No. 19.—To receive and preserve all Statements of Claim to vote in the Election of Guardians and appointments of Proxies, made in pursuance of the 84th section of the said first-recited Act, and to enter the particulars of any such Statements and appointments not already entered, into the Register Books of Statements and Claims directed to be provided for that purpose^b; and, if not appointed Returning Officer, to assist the said Officer when appointed, in all matters relating to the Election of Guardians.

No. 20.—When appointed Returning Officer by the Commissioners, to conduct duly and impartially, and in strict conformity with the Regulations in force at the time, the annual or any other Election of Guardians^c.

No. 21.—To observe and execute all lawful orders and directions of the Board of Guardians applicable to his office.

^a See 1 & 2 Vic. c. 56, § 23, 24; 6 & 7 Vic. c. 92, § 19; 10 Vic. c. 31, § 16; and 12 & 13 Vic. c. 104, § 7: and Instructions as to selection of Ex-officio Guardians, p. 639–643.

^b 1 & 2 Vic. c. 56, § 84, amended by 6 & 7 Vic. c. 92, § 24 (p. 65, 125): Election Regulations, Articles 4–8 (p. 539); and Circulars of Instructions, p. 579–582.

^c Election Regulations and Instructions, p. 535.

DUTIES OF THE TREASURER.

GENERAL
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TIONS:

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ARTICLE 48.—The Duties of the Treasurer shall be—

Duties of
Treasurer.

No. 1.—To receive all monies tendered to be paid to the Board of Guardians, and to place the same to their credit, and to give a receipt in the form prescribed by the Commissioners^a, to the Collectors of Rates, whenever any of them shall pay to the Treasurer money to the credit of the Board of Guardians.

No. 2.—To pay out of any monies for the time being in his hands belonging to the Board of Guardians, all orders for money which shall be drawn upon him, on behalf of such Guardians, and shall be signed by the presiding Chairman and two other of such Guardians at a Meeting of the Board, and shall be countersigned by the Clerk, or the person for the time being acting as the Clerk, as and when the same shall be presented at the house or usual place of business of the Treasurer.

No. 3.—To keep in a book to be provided for that purpose, entitled the Treasurer's Book of Receipts and Payments, an account, under the proper dates, of all monies received and paid respectively by him as such Treasurer, to be submitted to the Board of Guardians, at each Ordinary Meeting.

No. 4.—To submit the above-mentioned account to the Auditor at the periods of Audit, duly notified, in pursuance of the Regulations of the Commissioners in force at the time^b.

DUTIES OF THE COLLECTORS OF RATES^c.

ARTICLE 49.—The following shall be the Duties of the Collectors of Rates appointed by the Guardians, and also of any Collector of the County Cess, who, under the provisions of the said Act first-recited, shall levy the Rate made under the authority of the Acts for the Relief of the Poor in Ireland, in the Union or any part thereof:—

Duties of
Collectors.

No. 1.—From time to time to fill up and prepare a Collecting Book^d, or abstract of any Rate made for the District for which he is constituted or appointed Collector, or any part thereof; to fill up all receipts required to be given; and to keep all books required to be kept by the Orders of the Commissioners, or other lawful authority; and make all returns which relate to the collection

^a Accounts Order of 8 April, 1853, § iv. 3, Form 28 (in Part II. 4.)

^b Regulations as to Audit, Art. 53 (p. 636); and § vii. of Accounts Order of 8 April, 1853, (Part II. 4.)

^c And see under "Collector," in Index.

^d Form 25 in Accounts Order, (Part II. 4.)

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TIONS:
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Duties of
Collectors.

of the Rates for the relief of the Poor, within his District.

- No. 2.—To collect, with due diligence, all monies payable on account of such Rates for the District for which he may be so constituted or appointed Collector, and to give receipts to all persons from whom he may receive any Rates in the form prescribed by the Commissioners^a, which shall be supplied to him by the Clerk of the Union, and to take all lawful and proper steps for enforcing the payment of any Rates not duly paid.
- No. 3.—To give receipts for Poor Rates from the Receipt Check Books, as numbered and initialed and delivered to him by the Clerk of the Union, and to give no other receipts for Poor Rates whatever, on pain of dismissal from his office, and prosecution for the penalties which he may incur by statute for a breach of this regulation: and to issue such receipts in regular succession, and in the order of their respective numbers.
- No. 4.—To pay over to the Treasurer of the Union, on account of the Board of Guardians, weekly, or oftener if required, and whenever the sum in his hands shall amount to £50, all monies collected by him, and to take a receipt from the said Treasurer for every such payment in the form prescribed by the Commissioners^a.
- No. 5.—To keep the Rate Receipt Check Books, and Rate Receipt Abstracts, in the form required by the Commissioners^a, and duly to fill up the entries required to be made therein, with regard to all sums collected by him.
- No. 6.—To attend the first Meeting of the Guardians which shall be held in every month, with the several Books which he is required to keep, and to lay before them, in a book to be specially kept for the purpose, a summary of the state of his collection, together with the receipts of the Treasurer for all sums paid in during the preceding month.
- No. 7.—To submit his Collecting Book, Rate Receipt Check Books, and Rate Receipt Abstracts^a, to the Clerk of the Union for examination, once at the least in every fortnight, and if the Guardians shall so require, once in every week, at the hour and on the day, not being the day of meeting of the Guardians, which the Clerk shall appoint for that purpose; and at the same time to produce to the Clerk the Treasurer's Receipts for all Lodgments made by him since the last examination of his Accounts.
- No. 8.—To return every Receipt Check Book, from

^a See Forms in Accounts Order of 8 April, 1853, (Part II. 4.) and § IV of that order.

which all the receipts shall have been detached, to the Clerk of the Union forthwith.

No. 9.—To attend every Meeting of the Board of Guardians which he shall be specially required to attend.

No. 10.—To attend the Returning Officer on the days appointed for examining Nomination Papers and the Votes given at any Election of Guardians of the Union, with the Collecting Book, and to assist such Officer in examining the qualification of persons nominated for the office of Guardian, or making Nominations, and the validity of the Votes^a.

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TIONS:
19 JAN. 1852.

Duties of
Collectors.

DUTIES OF THE OFFICERS OF THE WORKHOUSE.

ARTICLE 50.—The Medical Officer, Master, Matron, Porter, Schoolmaster, and Schoolmistress, together with all Assistants appointed under this Order, shall perform all the duties set forth in any Order of the Commissioners in force at the time, regulating the management of the Workhouse of the Union^b, or prescribing in any way the duties of such Officers and Assistants as aforesaid^c.

Duties of
Workhouse
Officers.

DUTIES OF RELIEVING OFFICERS.

ARTICLE 51.—The Duties of every Relieving Officer shall be—

Duties of
Relieving
Officers.

No. 1.—To attend all ordinary Meetings of the Board of Guardians, and to attend all other Meetings when summoned by the Clerk.

No. 2.—To attend at such places in his District, at such times of the day, and on such days in the week, as the Board of Guardians shall, from time to time direct, for the purpose of dispensing relief, and of receiving applications for relief.

No. 3.—To receive all applications for relief made to him within his District, and forthwith to examine into the circumstances of every case, by visiting the home of the applicant, and by making all necessary inquiries into the state of health, the ability to work, and the previous earnings and other means, of such applicant; and to report the result of such inquiries, in the prescribed form, entitled the Application and Report Book^c, to the Board of Guardians at their next ordinary Meeting.

No. 4.—In every case of sudden and urgent necessity, to afford such provisional relief to the destitute person as shall be requisite in the manner provided by law^d; that is to say, either by an order

^a Election Regulations, Articles 3, 12, 21, 33 (p. 539 *et seq.*)

^b Workhouse Rules, p. 646.

^c Accounts Order, (Part II. 4.)

^d Irish Poor Relief Extension Act, 10 Vic. c. 31, § 7 (p. 132); and Evicted Poor Protection and Relief Act, 11 & 12 Vic. c. 47, § 4 (p. 174).

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TIONS:
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Duties of
Relieving
Officers.

of admission to the Workhouse or Fever Hospital of the Union, provided there be room therein respectively, and by conveying any destitute poor person thereto, if necessary; or by affording such poor person immediate and temporary relief in food, lodging, medicine, or medical attendance, until the next ordinary Meeting of the Board of Guardians.

No. 5.—To report to the Board of Guardians at their next ordinary Meeting, all cases in which he shall have given provisional relief, and the nature and cost of the relief so afforded, in the prescribed form, entitled the Application and Report Book*; and to take the directions of the Board of Guardians regarding any further relief to be afforded in every case so reported.

No. 6.—Duly and punctually to dispense the weekly allowances of all poor persons belonging to his District; and to relieve all poor persons within his District, as directed by the Board of Guardians, and authorized by the signature and initials of the Chairman of the Meeting, in the columns provided for that purpose in the prescribed form, entitled the Application and Report Book*.

No. 7.—To keep a separate, full, and true account of all sums and articles dispensed by him for or on account of the relief of each poor person in the District for which he shall be appointed to act, in the prescribed form, entitled the Out-door Relief List*.

No. 8.—To keep a separate, full, and true account of all sums or articles received by him from the Board of Guardians, and expended or dispensed by him on the account of each Electoral Division in his District, or the Union at large, as the case may be, in the prescribed form, entitled the Weekly Receipt and Expenditure Book*, and to balance the same weekly.

No. 9.—To present the prescribed Books of Accounts, severally entitled the Out-door Relief List, and Weekly Receipt and Expenditure Book, to the Clerk for his inspection and authentication, before every ordinary Meeting of the Board of Guardians, and to the Board of Guardians at such Meeting.

No. 10.—In no case to take credit in his Accounts, or enter as paid or given, any money or other articles which shall not have been paid or given previously to the taking of such credit, or the making of such entry.

No. 11.—To make out at the end of each half-year, Lists of all persons relieved at the charge of each Electoral Division, or the Union at large, in his District, in the form prescribed for that purpose*, entitled List of Destitute Persons relieved

* Accounts Order of 8 April, 1853 (Part II. 4), § III, and Forms appended thereto.

out of the Workhouse; and to post, or cause to be posted, copies of the same in such public places as the Board of Guardians shall direct.

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TIONS:
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No. 12.—To submit to the Auditor of the Union all his Books, Accounts, and Vouchers at such place and time, and in such manner, as may be required by the Regulations of the Commissioners in force at the time^a.

Duties of
Relieving
Officers.

No. 13.—To observe and execute all lawful orders and directions of the Board of Guardians applicable to his office.

DUTIES OF WARDEN.

ARTICLE 52.—Every Warden lawfully appointed by the Board of Guardians, in pursuance of the said recited Act, shall discharge the following duties with reference to the several Parishes, Townlands, or parts of Parishes for which he may have been so appointed^b:—

Duties of
Warden.

No. 1.—To attend the Board of Guardians at their Ordinary and Weekly Meetings whenever he may be so required; and so far as the said Guardians may lawfully require, to report to them on the state of the Poor within his Parish or District, on the increase or diminution of Mendicancy therein, or on any other matters in relation to the condition of such Parish or District, on which the said Guardians may from time to time require information.

No. 2.—To collect and certify in writing to the Board of Guardians, when required by them so to do, any information which he may be able to obtain respecting the fact or period of the residence of any applicant for relief, within the Parish or District for which he may act.

No. 3.—To receive all applications for admission into the Workhouse, which may be made to him by or on behalf of any destitute poor persons usually resident or being casually within any Parish or Townland comprised within his District; and to report to the Board of Guardians at their weekly meeting all such applications made to him during the preceding week, together with the particulars which, on examination into the merits of each case, he shall have been enabled to collect.

No. 4.—To provide, if necessary, for the conveyance of any destitute poor person who may be unable, through old age, or infirmity of body or mind, to walk to the Workhouse, whom he shall have been directed to convey by the Board of Guardians.

^a Regulations as to Audit, Art. 53 (p. 636); and § VII of Accounts Order (Part II. 4).

^b Wardens may also afford Medical Relief by the issue of tickets under the Dispensaries Act, 14 & 15 Vic. c. 68, § 9 (p. 213).

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TIONS:
19 JAN. 1852.

Audit of
Accounts.

DUTIES WITH RESPECT TO THE AUDIT OF ACCOUNTS.

ARTICLE 53.—Every Officer acting under this Order, shall duly and punctually keep such Books as may be prescribed in any Order of the Commissioners, in force at the time, for keeping and auditing the Accounts^a; and shall lay such Books, together with the vouchers and other necessary documents, before the Auditor, properly balanced and made up at the time fixed for the Audit or for any adjournment thereof; and every such Officer shall, when required so to do, furnish to the Auditor or to the Board of Guardians, any abstract, statement, or explanation, verbally or in writing, respecting his Accounts and the items contained therein or the vouchers relating thereto^a.

EXPLANATION OF TERMS.

Explanation
of Terms.

ARTICLE 54.—Whenever in describing any person or party, matter or thing, the word importing the singular number or the masculine gender only is used in this Order, the same shall be taken to include and shall be applied to several persons or parties as well as one person or party, and females as well as males, and several matters or things, as well as one matter or thing, respectively, unless there be something in the subject or context repugnant to such construction.

ARTICLE 55.—Whenever in this Order any Article is referred to by its number, the Article of this Order bearing that number shall be taken to be signified thereby.

FORM A^b.

Forms.

REQUISITION FOR AN EXTRAORDINARY MEETING OF GUARDIANS.

To the Clerk to the Guardians of the — Union.

We, the undersigned, being two of the Guardians of the Poor of the — Union, do hereby require an Extraordinary Meeting of the Guardians of the said Union to be summoned, to be holden at — on — the — day of — 18—, at — o'clock in the forenoon, to take into consideration [*set out the motion*].

} Guardians.

Dated — of — 185 .

^a Accounts Order of 8 April, 1853 (Part II. 4.) § VII.

^b Article 8, (p. 613-4.)

FORM B^a.NOTICE OF CLERK, CONVENING AN EXTRAORDINARY
MEETING OF GUARDIANS.GENERAL
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TIONS:
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To A.B., Guardian of the Poor of the — Union.

Forms.

SIR,—C.D. and E.F., two of the Guardians of the Poor of the — Union, have required that an Extraordinary Meeting of the Guardians of the Poor of the said Union at — on — the — day of — 18—, at — o'clock in the forenoon, be summoned to take into consideration [*set out the motion*], and you are hereby requested to attend such Meeting, at the above-named time and place.

Clerk to the Guardians.

Dated — of — 185 .

FORM C^a.NOTICE OF CHANGE OF PERIOD, TIME, OR PLACE OF
MEETING.

To A.B., Guardian of the Poor of the — Union.

SIR,—You are hereby informed that the next Ordinary Meeting of the Guardians of the Poor of the — Union will take place at — on — the — day of — 18—, at — o'clock in the forenoon, for the transaction of business; and that Meetings of the said Guardians will henceforth be held [*weekly or otherwise, as the case may be*] at the same place, on — in every week, at the same hour of — in the forenoon.

Clerk to the Guardians.

Dated — of — 185 .

FORM D^a.

NOTICE OF AN ADJOURNED MEETING OF GUARDIANS.

To A.B., Guardian of the Poor of the — Union.

SIR,—This is to give you Notice that an Adjourned Meeting of the Guardians of the Poor of the — Union, will be held at — on — the — day of — 18—, to take into consideration [*set out the motion*], which Meeting you are hereby requested to attend.

Clerk to the Guardians.

Dated — of — 185 .

SCHEDULE,

Schedule.

Containing the Names of the Unions to which the present
Order applies.

Abbeyleix	Athlone	Ballinasloe	Ballymena
Antrim	Athy	Ballinrobe	Ballymoney
Ardee	Bailieborough	Ballycastle	Ballyshannon
Armagh	Ballina	Ballymahon	Ballyvaghan

GENERAL REGULA- TIONS: 19 JAN. 1852. Schedule.	Balrothery	Corrofin	Killala	Newry
	Baltinglass	Croom	Killarney	Newtownards
	Banbridge	Dingle	Kilmacthomas	Newtownlim-
	Bandon	Donaghmore	Kilmallock	avady
	Bantry	Donegal	Kilrush	Oldcastle
	Bawnboy	Downpatrick	Kinsale	Omagh
	Belfast	Drogheda	Larne	Oughterard
	Belmullet	Dromore West	Letterkenny	Parsonstown
	Borrisokane	Dublin, North	Limerick	Portumna
	Boyle	Dublin, South	Lisburn	Rathdown
	Cahiriveen	Dundalk	Lismore	Rathdrum
	Callan	Dunfanaghy	Lisnaskea	Rathkeale
	Carlow	Dungannon	Listowel	Roscommon
	Carrickmacross	Dungarvan	Londonderry	Roscrea
	Car ^k .-on-Shan.	Dunmanway	Longford	Scariff
	Carrick-on-Suir	Dunshaughlin	Loughrea	Shillelagh
	Cashel	Edenderry	Lowtherstown	Skibbereen
	Castlebar	Ennis	Lurgan	Skull
	Castleblayney	Enniscorthy	Macroon	Sligo
	Castlecomer	Enniskillen	Magherafelt	Strabane
	Castlederg	Ennistymon	Mallow	Stranorlar
	Castlerea	Fermoy	Manorhamilt ⁿ .	Strokestown
	Castletown	Galway	Midleton	Swineford
	Castletndelvin	Glennamaddy	Milford	Thomastown
	Cavan	Glenties	Millstreet	Thurles
	Celbridge	Glin	Mitchelstown	Tipperary
	Claremorris	Gorey	Mohill	Tobercurry
	Clifden	Gort	Monaghan	Tralee
	Clogheen	Gortin	Mount Bellew	Trim
	Clogher	Granard	Mountmelick	Tuam
	Clonakilty	Inishowen	Mullingar	Tulla
	Clones	Kanturk	Naas	Tullamore
	Clonmel	Kells	Navan	Urlingford
	Coleraine	Kenmare	Nenagh	Waterford
	Cookstown	Kilkeel	Newcastle	Westport
	Cootehill	Kilkenny	Newport	Wexford
	Cork	Killadysert	New Ross	Youghal.

Sealed with our Seal, this Nineteenth Day
of January, in the Year of Our Lord
One Thousand Eight Hundred and Fifty-
(I.S.) Two.

(Signed,) A. POWER,
WM. M. SOMERVILLE,
T. N. REDINGTON,
JOHN BALL,
J. M'DONNELL, M.D.

CLARENDON.

I, GEORGE WILLIAM FREDERICK, EARL OF
CLARENDON, Lord Lieutenant General and General
Governor of Ireland, do hereby approve this Order.

By His Excellency's Command,

WM. M. SOMERVILLE.

ANNUAL SELECTION OF JUSTICES FOR EX-OFFICIO GUARDIANS, IN SEPTEMBER. CIRCULARS.

Extracts from Circulars of Instructions from the Commissioners to the Clerk of each Union in Ireland :—(See foregoing General Regulations, Article 47, No. 18, p. 630).

*Poor Law Commission Office, Dublin,
19th September, 1850.*

The Commissioners request your attention to the provisions of the Irish Poor Relief Acts relating to your duties in reference to the selection of Ex-officio Guardians to act for the ensuing year, from 29th instant, as pointed out in the Circulars of 9th September, 1847, 16th September, 1848, and 19th September, 1849, hereto annexed :—(Enclosures 1, 2, 3^a).

You should immediately ascertain whether the number of Justices qualified under § 23 of 1 & 2 Vic., cap. 56^b, to be Ex-officio Guardians in the Union and resident therein, does or does not equal the number of Elective Guardians at present eligible for the Union.

If the number of such Justices exceeds the number of Elective Guardians, the Ex-officio Guardians are to be selected in manner provided in § 16 of 10 Vic., c. 31^c, and you should proceed in accordance with the Circulars of 9th September, 1847, and 16th September, 1848 : (Enclosures 1, 2^a).

If the number of resident Justices qualified under the above provisions is less than the number of Elective Guardians, the number of Ex-officio Guardians is to be completed from non-resident Justices having a qualification by Estate in the Union, as described in § 7 of 12 & 13 Vic., c. 104^d: and in this case you should proceed as directed in the Circular of 19th September, 1849 :—(Enclosure 3^a).

To the Clerk of each Union.

^a p. 640-1.

^b p. 16.

^c p. 133.

^d p. 190.

CIRCULARS. ENCLOSURE 1.—CIRCULAR OF 9TH SEPTEMBER, 1847, as to Ex-officio Guardians.

*Poor Law Commission Office, Dublin,
9th September, 1847.*

The Commissioners have had their attention drawn to certain points relating to the construction of that part of the 16th section of the Irish Poor Relief Extension Act, which determines which of the Justices are to be entitled to act as Ex-officio Guardians in Unions where the number of duly qualified Justices exceeds the number of Guardians to be elected by the ratepayers; and they have referred to an opinion recently given by the Attorney-General for Ireland thereon.

According to this opinion, the 16th section of the Act 10 Vic., cap. 31^a, and the 22nd section of the Act 1 & 2 Vic., cap. 56^b, must be construed together; and a Justice who once becomes an acting Justice, shall continue to be [so^c] until the 29th September following his appointment, (provided his qualification continues,) and cannot be superseded before then, either by any higher rated Justice who had previously declined to act, or by any newly-appointed Justice, although such newly-appointed Justice be rated at a higher rate.

On the 29th September, however, such newly-appointed Justice would, in the opinion of the Attorney-General, be entitled to act according to his rating.

The state of the law, in fact, appears to be this: the Justices who are to act as Ex-officio Guardians in Unions where the number of qualified Justices exceeds the number of Elective Guardians, are to be selected on every 29th September, or within fourteen days after; and instead of being eligible under the 24th section of the 1 & 2 Vic., they are to be selected according to their rating, provided they have previously declared their willingness to act.

^a p. 138.

^b p. 16.

^c An Ex-officio Guardian?

It will be necessary for you therefore at once to prepare new lists of the Justices entitled to act, from and after the 29th September. CIRCULARS.

If, in the preparation of the lists, any question arises proper for an election, the Justices can meet and decide it within the fourteen days.

To the Clerk to the Guardians of each Union.

ENCLOSURE 2.—CIRCULAR OF 16TH SEPTEMBER, 1848, as to Ex-officio Guardians.

*Poor Law Commission Office, Dublin,
16th September, 1848.*

I am directed by the Commissioners to call your attention to the provisions of the 16th section of the Irish Poor Relief Extension Act^a, (10 Vic., c. 31,) and to the Commissioners' Circular^b of 9th September, 1847, relating to Ex-officio Guardians; and I am to state, that you should ascertain before the 29th instant, whether the number of Justices qualified to be Ex-officio Guardians in —— Union, exceeds the number of Elective Guardians; and if so, the Justices highest rated in the Union will be parties first entitled to act; and you should at once take the necessary steps for ascertaining the willingness of such Justices to act, in pursuance of the provisions of the section above cited.

To the Clerk of the Guardians of each Union.

ENCLOSURE 3.—CIRCULAR OF 19TH SEPTEMBER, 1849, as to Ex-officio Guardians.

*Poor Law Commission Office, Dublin,
19th September, 1849.*

The Commissioners request your attention to the provisions relating to non-resident Justices qualified to be Ex-officio Guardians, in the 7th section of the new Act, 12 & 13 Vic., c. 104^c, for

^a p. 138.

^b Enclosure 1, p. 640.

^c p. 190.

CIRCULARS. the amendment of the Acts for Relief of the Destitute Poor.

This section provides, that in any Union in which the number of Justices qualified to be Ex-officio Guardians, according to the Acts previously in force, shall, on the 29th September in any year, not be equal to the number of Elected Guardians, then every Justice acting for any County and otherwise qualified to be an Ex-officio Guardian of any Union within such County, and who shall be seised, possessed, or entitled, for his own use and benefit, of or to any Lands or Hereditaments *within such Union*, or in the rents and profits thereof for any life or lives in being, or for any term of twenty-one years at the least, such Estate being of the yearly value of Fifty Pounds at the least, shall, for the year next following such 29th September, be an Ex-officio Guardian of *such Union*, although not resident therein.

You should accordingly, on the 29th September next, and in each subsequent year, ascertain whether the number of resident Justices qualified under the 23rd section of the Act 1 & 2 Vic., cap. 56,—that is, being a “Justice of the Peace residing in the Union, and acting for the County in which he so resides, and not being a Stipendiary Magistrate or Assistant Barrister, or a person in Holy Orders, or a regular Minister of any religious denomination,”—is less than the number of Elective Guardians. If it be, you should then ascertain whether any Justices resident out of the Union possess an Estate in the Union of the kind and value prescribed in that enactment. In ascertaining this, the Statements of Claims to Vote in the Election of Guardians, under section 84 of 1 & 2 Vic., c. 56, and section 24 of 6 & 7 Vic., c. 92^a, and the Registers thereof which are required to be kept^b, may assist you; and you should avail yourself of any other sources of information that may be open to you. Even where parties who may be qualified to be Ex-officio Guardians under the provisions above cited, do not claim or wish to act, they are

^a p. 64, 125.

^b Election Order, Articles 4–8, (p. 539, 540.)

nevertheless invested with the office; and it is CIRCULARS.
important to ascertain precisely, at the 29th September in each year, what the entire number of Ex-officio Guardians may be, and what parties possess the privilege to act.

In case it be found that the number of non-resident Justices so qualified would, when added to those qualified under 1 & 2 Vic., c. 56, exceed the number of Elective Guardians, it is further provided, that of the highest rated of the non-resident Justices qualified under 12 & 13 Vic., c. 104, such only shall be entitled to act as will make the whole number of Ex-officio Guardians equal to that of the Elective Guardians; the highest rated Justices being in such case ascertained in manner provided in section 16 of 10 Vic., c. 31.

If the number of Justices qualified according to the original provisions in section 23 of 1 & 2 Vic., c. 56, exceed the number of Elective Guardians, you will, in like manner, proceed in accordance with the 16th section of 10 Vic., c. 31, as pointed out in the Commissioners' Circular^a of 16th September last.

By Order, &c.

To the Clerk of each Union.

^a Enclosure 2, p. 641.

PART II.

3.—WORKHOUSE RULES, &c.

GENERAL ORDER OF 5TH FEBRUARY 1849,

FOR REGULATING THE

MANAGEMENT OF WORKHOUSES,

AND THE

DUTIES OF THE WORKHOUSE OFFICERS.

WITH CIRCULARS, &c.

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PART II. 3.

GENERAL ORDER OF 5TH FEBRUARY, 1849,
FOR REGULATING THE
MANAGEMENT OF WORKHOUSES,
AND THE
DUTIES OF THE WORKHOUSE OFFICERS.

To the GUARDIANS OF THE POOR of the several Unions named in the Schedule hereunto annexed^a, and the OFFICERS OF THE WORKHOUSES of such Unions ; to the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the Townlands and Places comprised within the said Unions are situate ; and to all others whom it may concern :

WE, the Commissioners for administering the Laws for Relief of the Poor in Ireland, in pursuance of the authorities vested in us, by an Act passed in the Second Year of the Reign of Her present Majesty Queen Victoria, intituled “ An Act for the more effectual Relief of the Destitute Poor in Ireland,” and by the other Acts in force for the Relief of the Destitute Poor in Ireland, do hereby rescind any Order or Orders heretofore issued by the Poor Law Commissioners, and now in force in the several Unions named in the Schedule hereunto annexed^a, containing any Rules and Regulations applicable to the Government of the Workhouse in each of the said Unions, and to the Paupers therein, and to the Officers thereof, except so far as the same may have authorized the making of any Contract not yet executed, or the appointment of the existing Officers, or the giving and receiving of securities for the performance of their duties ; and We do hereby Order, Direct, and Declare, with respect to each and every of the Unions named in the said Schedule hereunto annexed, and with respect to the

WORKHOUSE
RULES :
5 FEB. 1849.

Rescinding
of previous
Workhouse
Rules.

^a Page 680 ; and see note thereon. The Workhouse Rules in this Order apply to all the Unions in Ireland.

WORKHOUSE RULES: Government of the Workhouse in the said Unions,
5 FEB. 1849. as follows :—

ADMISSION OF PAUPERS.

Admission of
 Paupers.

ARTICLE 1.—Every Pauper who shall be admitted into the Workhouse, either upon his first or any subsequent admission, shall be admitted in one of the following modes only : that is to say,—

1. By a written or printed Order of the Board of Guardians, signed by their Clerk or presiding Chairman.
2. By a written or printed Order signed by a Relieving Officer of the Union.
3. By the Master of the Workhouse (or, during his absence or inability to act, by the Matron), without any such Order, in case of any sudden and urgent necessity, or in case of his receiving a written recommendation from a Warden to admit provisionally any person or persons mentioned by name therein, whom the Master shall, on due examination of the circumstances of the case, believe to be destitute and deem to be a proper object for admission to the Workhouse.

ARTICLE 2.—No Pauper shall be admitted under any written or printed Order as mentioned in Article 1, if the same bear date more than three days before the Pauper duly presents it at the Workhouse.

ARTICLE 3.—If a Pauper be admitted in any other than the first of the three modes mentioned in Article 1, the admission of such Pauper shall be brought before the Board of Guardians at their next Meeting, who shall decide on the propriety of the Pauper's continuing in the Workhouse or otherwise, and make an Order accordingly.

ARTICLE 4.—As soon as a Pauper is admitted, his name and religious persuasion shall be duly entered in the Register^a, and he shall be placed in the Probationary Ward, and shall there remain until examined by the Medical Officer of the Workhouse.

ARTICLE 5.—If the Medical Officer, upon such examination, pronounce the Pauper to be labouring under any disease of body or mind, the Pauper shall be placed either in the sick ward, or in such other

^a Form of Workhouse Register, p. 712.

ward appropriated to the reception of such cases, as the Medical Officer shall direct.

WORKHOUSE
RULES:
5 FEB. 1849.

ARTICLE 6.—If the Medical Officer pronounce the Pauper to be free from any such disease, the Pauper shall be placed in the part of the Workhouse assigned to the class to which he may belong.

Admission of
Paupers.

ARTICLE 7.—Before being removed from the Probationary Ward, the Pauper shall be thoroughly cleansed, and shall be clothed in a Workhouse dress; and the clothes which he wore at the time of his admission shall be purified, and deposited in a place appropriated for that purpose, with the Pauper's name, and a list of the several articles, signed by the Porter, affixed thereto. Such clothes shall be restored to the Pauper when he leaves the Workhouse.

ARTICLE 8.—Every Pauper shall, upon his admission into the Workhouse, or on his return after a temporary leave of absence, in pursuance of Article 26, be searched by or under the inspection of the proper Officer; and all articles prohibited by any Act of Parliament^a, or by this Order^b, which may be found upon his person, shall be taken from him, and, if possible, restored to him at his departure from the Workhouse.

CLASSIFICATION OF THE PAUPERS.

ARTICLE 9.—The Paupers, so far as the Workhouse admits thereof, shall be classed as follows^c:—

Classification
of Paupers.

1. Males above the age of 15 years.
2. Boys above the age of 2 years, and under that of 15 years.
3. Females above the age of 15 years.
4. Girls above the age of 2 years, and under that of 15 years.
5. Children under 2 years of age.

ARTICLE 10.—To each of the classes specified in Article 9 shall be assigned by the Board of Guardians, the apartments and yard best fitted for the reception of such class; and where the number of inmates and the accommodation of the Workhouse or additional Workhouses admit thereof, the said

^a § 58 of Irish Poor Relief Act, 1 & 2 Vic. c. 56, (p. 46).

^b Articles 20, 30, 31.

^c Classification for purposes of Diet, Art. 13, No. 1, (p. 651).

WORKHOUSE RULES: classes may be further subdivided, with the approval of the Commissioners.
5 FEB. 1849.

**Classification
of Paupers.**

ARTICLE 11.—Each class or subdivision of a class shall respectively remain in the apartment assigned to them, without communication with any other class or subdivision of a class; subject, nevertheless, to such arrangements as exist with reference to the Probationary Wards and Infirmary, and also to the following five exceptions:—

EXCEPTION 1.—Any Paupers of the third class, and any Paupers of a proper age in the fourth class, may be employed, constantly or occasionally, as assistants to the nurses in any of the sick wards, or in the care of infants, or as assistants in the household work; provided that the said Paupers, when employed in the household work, be so employed without communication with the Paupers of the first and second classes.

EXCEPTION 2.—Any aged Pauper of the third class, whom the Master may deem fit to perform any of the duties of a nurse, or assistant to the Matron, may be so employed in the sick wards, or those of the second, third, fourth, or fifth classes; and any Pauper of the first class, who may by the Master be deemed fit, may be placed in the ward of the second class; to aid in the management and superintend the behaviour of the Paupers of such class.

EXCEPTION 3.—The boys and girls under 15 years of age may be permitted to meet in the same school for the purposes of instruction, subject to the consent and approval of the Commissioners first had and obtained.

EXCEPTION 4.—All Paupers of class 5 whose mothers are inmates of the Workhouse, shall be allowed to remain with their mothers, if the mothers so desire; and all Paupers of classes 2 and 4 who are between the ages of 2 and 7 years, shall, when not attending school, be placed in some apartment specially provided for them; and the mothers of such last-named children shall be permitted to have access to them at all reasonable times.

EXCEPTION 5.—The Master of the Workhouse (subject to any regulations to be made by the Board of Guardians and approved of by the Commissioners) shall allow the father or mother of any child in the Workhouse who may be desirous of seeing such child, to have an interview with such child at some time in each day, in some room in the Workhouse to be appointed for that purpose.

ARTICLE 12.—Provided, that if it shall be made

to appear to the Commissioners, that it is expedient to deviate from the classification hereinbefore prescribed, and the Commissioners shall signify their consent to such deviation, it shall be lawful for the Board of Guardians to depart from the classification, so far and subject to such conditions as the Commissioners may prescribe.

WORKHOUSE
RULES:
5 FEB. 1849.
—
Classification
of Paupers.

RULES FOR FRAMING DIETARIES.

ARTICLE 13.—The Dietary of the Workhouse shall be framed in accordance with the following Rules:—

Rules
for framing
Dietaries.

No. 1. The healthy inmates shall be divided, for the purposes of Diet, into seven classes:—

General
Dietary.

- I. Able-bodied working males.
- II. Able-bodied working females.
- III. Aged and infirm persons, of either sex; and adult persons, of either sex, above fifteen years of age, but not working.
- IV. Boys and girls above nine and under fifteen years of age.
- V. Children above five and under nine years of age.
- VI. Children above two and under five years of age.
- VII. Infants under two years of age.

No. 2. To classes I., II., and III., not less than two meals a day shall be allowed; and to classes IV., V., and VI., not less than three meals a day.

No. 3. Where two meals only are allowed to classes I., II., and III., one meal shall consist of not less than—

- For class I.—Eight ounces of Indian meal and half-pint of new milk.
- For class II.—Seven ounces of Indian meal and half-pint of new milk.
- For class III.—Six ounces of Indian meal and half-pint of new milk;

The other meal shall consist of not less than—

- For class I.—Fourteen ounces of brown bread and two pints of soup.
- For class II.—Twelve ounces of brown bread and one pint and a-half of soup.
- For class III.—Ten ounces of brown bread and one pint and a-half of soup.

And where three meals are allowed to classes I., II., and III., the amount of nutriment shall be at least equal to that contained in the two meals as above set forth.

No. 4. Of the three meals allowed to classes IV., V., and VI., one meal shall consist of not less than—

WORKHOUSE
RULES:
5 FEB. 1849.

Rules
for framing
Dietaries.

General
Dietary.

For class IV.—Five ounces of Indian meal and half-pint of new milk.

For class V.—Four ounces of Indian meal and half-pint of new milk.

For class VI.—Three ounces of Indian meal and half-pint of new milk;

Another meal shall consist of not less than—

For class IV.—Eight ounces of brown bread and a pint of soup.

For class V.—Six ounces of brown bread and a pint of soup.

For class VI.—Five ounces of brown bread and three-fourths of a pint of soup;

And the third meal shall consist of not less than, for each of the classes IV., V., and VI.,—

Four ounces of brown bread.

No. 5. Class VII., consisting of Infants under two years of age, shall be allowed not less than eight ounces of white bread and a pint of new milk, daily.

No. 6. The soup shall be made of peas-meal or oatmeal, or of both, in the proportion of eight ounces of meal to one gallon of water, well seasoned with onions, pepper, and salt; and thickened, at all convenient seasons, with turnips, parsnips, and carrots, or such other vegetables as the Medical Officer shall approve.

Instead of the articles above named, the following articles may be substituted in framing the Dietary:—

No. 7. Instead of Indian meal,—oatmeal, rye meal, and rice may be used, provided that rice be not used except in conjunction with meal, and then only in the proportion of two ounces of rice to six ounces of meal.

No. 8. Instead of new milk,—buttermilk may be used if the Medical Officer shall approve of it; and the equivalents shall be, for half-pint of new milk one pint of buttermilk, provided that buttermilk shall not be substituted for new milk for either of the classes VI and VII.

No. 9. Instead of brown bread, that is to say, bread made of the whole-meal of wheat,—rye bread may be used, or rye and barley bread, or potatoes; and the equivalents shall be, for fourteen ounces of brown bread sixteen ounces of rye bread, or rye and barley bread, or three and a-half pounds of potatoes weighed raw; and in like proportion, as nearly as may be, for other quantities.

No. 10. The Board of Guardians may, under the advice of the Medical Officer, use other articles instead of any of the above, and the same or other articles in other proportions than the above, whenever the scarcity of any article, the season of the year, or any circumstance affecting the sanitary condition of the inmates, shall be deemed to justify such changes or departures from the authorized articles and quantities; such changes and departures

being subject at all times, both as to their adoption and continuance, to the approval of the Commissioners.

No. 11. The sick inmates shall, for the purpose of diet, be divided into five classes, as follows:—

I. Adult persons of either sex above fifteen years of age.

II. Boys and girls above nine and under fifteen years of age.

III. Children above five and under nine years of age.

IV. Children above two and under five years of age.

V. Infants under two years of age.

No. 12. The dietaries for patients in the Workhouse Infirmary, and Fever Hospital, shall be at all times such as the Board of Guardians, under the advice of the Medical Officer or Medical Officers, shall adopt, subject to the approval of the Commissioners.

No. 13. The following shall be deemed to be the authorized or standard dietaries for patients in the Infirmary and Fever Hospital, any departure from which by the Board of Guardians in framing the sick dietaries shall be notified to the Commissioners for their approval.

For each of the patients in class I. the dietary shall be such one of the following dietaries as the Medical Officer shall select, or some approved equivalent.

LOW DIETS.

No. 1, or Fever admission diet,

Four ounces of bread and three pints of whey daily.

No. 2, or Infirmary admission diet,

Breakfast.	Dinner.	Supper.
4 ounces bread, 1 pint milk.	4 oz. bread, 2 oz. rice, 1 pint milk.	4 ounces bread, 1 pint milk.

MIDDLE DIETS.

No. 3, or Meal diet,

Breakfast.	Dinner.	Supper.
6 ounces meal, $\frac{1}{2}$ pint milk.	6 ounces bread, 1 pint soup.	4 ounces bread, $\frac{1}{2}$ pint milk.

No. 4, or Tea diet,

Breakfast.	Dinner.	Supper.
4 ounces bread, 1 pint tea.	8 ounces bread, 1 pint soup.	4 ounces bread, 1 pint milk.

FULL DIETS.

No. 5, or Meat diet,

Breakfast.	Dinner.	Supper.
6 ounces bread, 1 pint tea.	8 oz. bread, 4 oz. meat, 1 pint soup.	4 ounces bread, 1 pint milk.

No. 6, or extra Meat diet,

Breakfast.	Dinner.	Supper.
6 ounces bread, 1 pint tea.	6 oz. bread, 6 oz. meat, 1 pint soup.	4 ounces bread, 1 pint milk.

WORKHOUSE
RULES:
5 FEB. 1849.

Rules
for framing
Dietaries.

Dietary for
the Sick.

WORKHOUSE
RULES:
5 FEB. 1849.

Rules
for framing
Dietaries.

Sick Diets.

No. 14. The soup is to be made as described in No. 6 of this Article; and the tea is to be made with half a pound of tea and two pounds of sugar to eight gallons of water, and two quarts of new milk.

No. 15. For the patients in class II. the allowance shall be three-fourths of the allowance to those in class I.

No. 16. For the patients in class III. the allowance shall be two-thirds of the allowance to those in class I.

No. 17. For patients in class IV. the allowance shall be half the allowance to those in class I.

No. 18. For the patients in class V. the dietary shall be such as the Medical Officer shall specially prescribe in each case.

DISCIPLINE OF THE PAUPERS.

Discipline
of Paupers.

ARTICLE 14.—All the Paupers in the Workhouse, except those disabled by sickness or infirmity, persons of unsound mind, and children, shall rise, be set to work, leave off work, and go to bed, at such times, and shall be allowed such intervals for their meals, as the Board of Guardians shall, by any Regulation approved by the Commissioners, direct; and these several times shall be notified by the ringing of a bell.

ARTICLE 15.—Half an hour after the bell shall have been rung for rising, the names of the Paupers shall be called over by the Master, Schoolmaster, Matron, Schoolmistress, or other Officer duly authorized, respectively, in the several Wards; when every Pauper belonging to each Ward must be present, to answer to his name, and to be inspected; and a list of the persons in each Ward, arranged in classes as provided in Article 13 for the purpose of Dietary, shall be made out for the Master's information.

ARTICLE 16.—The meals shall be taken by all the Paupers (except those disabled by sickness or infirmity, persons of unsound mind, and children), in the dining hall, and in no other place whatever; and during the time of meals, order and decorum shall be maintained; and no Pauper (except those disabled by sickness or infirmity, persons of unsound mind, and children), shall go to or remain in his sleeping room, either in the time appointed for work, or in the intervals allowed for meals, except by permission of the Master or Matron.

ARTICLE 17.—The Master and Matron of the Workhouse shall (subject to the directions of the Board of Guardians), fix the hours of rising and going to bed for the sick, the infirm, and the young children, and determine the occupation and employment of which such inmates may be capable; and the meals for such inmates shall be provided at such times and in such manner as the Board of Guardians may direct.

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ARTICLE 18.—The Paupers of the respective sexes shall be dieted as set forth in the Dietary Table which may be prescribed for the use of the Workhouse^a, and in no other manner.

ARTICLE 19.—Provided,—

1stly.—That the Medical Officer may direct, in writing, such diet for any individual Pauper in the Sick or Lunatic Wards, as he shall deem necessary.

2ndly.—That if the Medical Officer shall at any time certify that he deems a temporary change in the diet essential to the health of the Paupers in the Workhouse, or of any class or classes thereof, the Guardians shall cause a copy of such certificate to be entered on the Minutes of their proceedings, and shall be empowered forthwith to order, by a resolution, the said diet to be temporarily changed according to the recommendation of the Medical Officer, and shall forthwith transmit a copy of such certificate and resolution to the Commissioners.

3rdly.—That the Medical Officer shall be specially consulted by the Matron as to the nature of the food of the infants, and the time at which such infants should be weaned.

ARTICLE 20.—No Pauper shall have or consume any tobacco, or any spirituous or fermented liquor, or food or provision other than is allowed in the said Dietary Table, unless by the direction in writing of the Medical Officer, as provided for in Article 19.

ARTICLE 21.—The clothing to be worn by the

^a See Rules for Dietaries, in art. 13.

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Paupers in the Workhouse shall be made of such materials as the Board of Guardians may determine.

ARTICLE 22.—The Paupers of the several classes shall be kept employed according to their capacity and ability; but no Pauper shall work on his own account, or on account of any party other than the Board of Guardians; and no Pauper shall receive any compensation for his labour, except such food as the Medical Officer shall recommend to be given to any Pauper who may be in attendance on the sick.

ARTICLE 23.—The boys and girls who are inmates of the Workhouse shall, for three of the working hours at least every day, be instructed in reading, writing, arithmetic, and the principles of the Christian Religion; and such other instruction shall be imparted to them as shall fit them for service and train them to habits of usefulness, industry, and virtue.

ARTICLE 24.—Any Pauper may quit the Workhouse upon giving the Master three hours' previous notice of his wish to do so; but no such Pauper shall carry with him any clothes or other articles belonging to the Board of Guardians, without the express permission of the Master or Matron.

ARTICLE 25.—No Pauper having a family dependent on him shall so quit the Workhouse without taking the whole of such family with him; nor shall any Pauper, after so quitting the Workhouse, be again received therein, except in one of the modes prescribed in Article 1 for the Admission of Paupers.

ARTICLE 26.—Provided nevertheless, that in any case urgently requiring the immediate and temporary presence of any Pauper elsewhere, the restrictions upon quitting and returning to the Workhouse, specified in Articles 1, 24, and 25, may be dispensed with by the Master; but the Master shall report in writing every such case to the Board of Guardians at their next Meeting, stating specially the grounds of the exception in each particular case; and the allowance or disapproval of the same by the Guardians shall be recorded in the Minute Book.

ARTICLE 27.—The Master of the Workhouse may allow the Paupers of each sex under the age

of fifteen, subject to such restrictions as the Board of Guardians may impose, to quit the Workhouse under the care and guidance of himself, or the Matron, Schoolmaster, Schoolmistress, Porter or some other paid officer of the Workhouse, for the purpose of exercise.

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ARTICLE 28.—No person shall visit any Pauper in the Workhouse, except by permission of the Master, or (in his absence) of the Matron, and subject to such conditions and restrictions as the Board of Guardians may prescribe: such interview shall take place, except where a sick Pauper is visited, in a room separate from the other inmates of the Workhouse, in the presence of the Master, Matron, Porter, or other Officer authorized by the Board of Guardians in that behalf.

ARTICLE 29.—No written or printed paper of an improper tendency shall be allowed to circulate or be read aloud among the inmates of the Workhouse.

ARTICLE 30.—No Pauper shall play at cards, or at any game of chance, in the Workhouse; and it shall be lawful for the Master to take from any Pauper, and to keep until his departure from the Workhouse, any cards, dice, or other articles relating to games of chance, which may be in his possession.

ARTICLE 31.—No Pauper shall smoke within the precincts of the Workhouse, nor shall have any matches or other articles of a highly combustible nature in his possession.

ARTICLE 32.—Any regular Minister of the religious persuasion of any inmate of the Workhouse who shall, at any time in the day, on the request of any inmate, enter the Workhouse for the purpose of affording religious assistance to him, or for the purpose of instructing his child or children in the principles of his religion, shall give such assistance or instruction so as not to interfere with the good order and discipline of the other inmates of the Workhouse; and such religious assistance or instruction shall be strictly confined to inmates who are of the religious persuasion of such Minister, and to the children of such inmates.

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ARTICLE 33.—If any inmate of the age of fifteen years and upwards, being of sound mind, shall desire to be registered as of a different religious denomination from that which is entered as his religious denomination in the Register^a; or if the parents or surviving parent of any child under the age of fifteen, shall desire, in like manner, to have the Register amended in respect of the religious denomination of such child; in either of such cases, if the Board of Guardians shall, after due inquiry and personal examination of the party expressing such desire, be satisfied that the present religious persuasion of any inmate is wrongly described in the Register, they shall cause the same to be amended accordingly.

ARTICLE 34.—If any inmate, being of sound mind, shall desire to be visited by a Minister of any religious denomination different from that which is entered in the Register^a as the religious denomination of such inmate, the request shall be made to the Master of the Workhouse, who shall report the same to the Board of Guardians at their next meeting; and the Guardians shall give such direction thereon as may appear to them fitting and expedient; provided that in any case of urgency affecting the life of an inmate, the Master, of his own discretion, or the Matron in the absence of the Master, shall permit such inmate to be visited at once, and communicate such request to such Minister accordingly.

ARTICLE 35.—No work, except the necessary household work and cooking, shall be performed by the Paupers on Sunday, Good Friday, and Christmas Day.

ARTICLE 36.—No work, except the necessary household work and cooking, shall be required to be performed by any Pauper who shall be entered in the Register as professing the Roman Catholic Religion^a, on any of the following days observed as Holidays in the Roman Catholic Church: that is to say,—the 1st and 6th days of January, the 17th

^a Article 64, No. 2, (p. 667):—Workhouse Register of Inmates; Regulations and Form in Accounts Order, II. 1, and Form 6, (p. 693 and 712).

and 25th days of March, the 29th day of June, the 15th day of August, the 1st day of November, Ascension Day, and Corpus Christi Day.

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ARTICLE 37.—Prayers shall be read before breakfast and after supper every day, and divine service shall be performed every Sunday in the Workhouse (unless the Guardians, with the consent of the Commissioners, shall otherwise direct); at which prayers and service all the Paupers shall attend, except the sick, persons of unsound mind, the young children, and such as are too infirm to do so; provided that those Paupers who may object so to attend on account of their religious principles shall also be exempt from such attendance.

PUNISHMENTS FOR MISBEHAVIOUR OF PAUPERS.

ARTICLE 38.—Any Pauper who shall neglect to observe such of the Regulations herein contained as are applicable to and binding on him;

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Or who shall make any noise when silence is ordered to be kept;

Or who shall use obscene or profane language;

Or shall by word or deed insult or revile any person;

Or shall threaten to strike or to assault any person;

Or shall not duly cleanse his person;

Or shall refuse or neglect to work, after having been required to do so;

Or shall pretend sickness;

Or shall play at cards or other game of chance;

Or shall enter, or attempt to enter, without permission, the ward or yard appropriated to any class of Paupers, other than that to which he belongs;

Or shall misbehave at public worship, or at prayers;

Or shall return after the appointed time of absence when allowed to quit the Workhouse temporarily;

Or shall wilfully disobey any lawful order of any officer of the Workhouse;

shall be deemed DISORDERLY.

ARTICLE 39.—Any Pauper who shall, within

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seven days, repeat any one or commit more than one of the offences specified in Article 38 ;

Or who shall by word or deed insult or revile the Master or Matron, or any other Officer of the Workhouse, or any of the Guardians ;

Or shall wilfully disobey any lawful order of the Master or Matron after such order shall have been repeated ;

Or shall attempt to introduce any fermented or spirituous liquors or tobacco, without lawful authority ;

Or shall unlawfully strike or otherwise unlawfully assault any person ;

Or shall wilfully or mischievously damage or soil any property whatsoever belonging to the Board of Guardians ;

Or shall wilfully waste, spoil, or attempt to dispose of, any provisions, stock, tools, or materials for work, belonging to the Board of Guardians ;

Or shall be drunk ;

Or shall commit any act of indecency ;

Or shall wilfully disturb the other inmates during prayers or divine worship ;

Or shall climb over any wall or fence, or attempt to quit the Workhouse premises in any irregular mode ;

Or shall attempt to convey out of the Workhouse any clothes or other articles belonging to the Board of Guardians ;

shall be deemed REFRACTORY.

ARTICLE 40.—It shall be lawful for the Master of the Workhouse, with or without the directions of the Board of Guardians to punish any DISORDERLY Pauper, by requiring such Pauper, for a time not exceeding two days, to perform one or two hours extra work, in each day, and by withholding all milk or buttermilk which such Pauper would otherwise receive with his meals.

ARTICLE 41.—It shall be lawful for the Board of Guardians, by a special direction to be entered on their Minutes, to order any REFRACTORY Pauper to be punished by confinement in a separate room, with or without an increase in the time of work

and an alteration of diet, similar in kind and duration to that prescribed in Article 40 for DISORDERLY Paupers; but no Pauper shall be so confined for a longer period than twenty-four hours; or if it be deemed right that such Pauper shall be carried before a Justice of the Peace, and if such period of twenty-four hours should be insufficient for that purpose, then for such further time as may be necessary for such purpose.

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ARTICLE 42.—It shall be lawful for the Board of Guardians, by any special or general Order, to direct that a dress different from that of the other inmates shall be worn by DISORDERLY or REFRACTORY Paupers, during a period of not more than forty-eight hours, jointly with or in lieu of the alteration of diet to which any such Pauper might be subjected by the regulations herein contained; but it shall not be lawful for the Board of Guardians to cause any penal dress, or distinguishing mark of disgrace, to be worn by any adult Pauper, or class of adult Paupers, unless such Pauper or Paupers shall be disorderly or refractory within the meaning of Articles 38 or 39 of this Order.

ARTICLE 43.—If any offence, whereby a Pauper becomes REFRACTORY under Articles 38 or 39, be accompanied by any of the following circumstances of aggravation: that is to say, if such Pauper

- Persist in using violence against any person;
- Or persist in creating a noise or disturbance, so as to annoy a considerable number of the other inmates;
- Or endeavour to excite other Paupers to acts of insubordination;
- Or persist in acting indecently or obscenely in the presence of any other inmate;
- Or persist in mischievously breaking or damaging any goods or property of the Guardians;
- Or persist in refusing to work;

it shall be lawful for the Master, without any direction of the Board of Guardians, immediately to place such REFRACTORY Pauper in confinement for any time not exceeding twelve hours; which confinement shall, however, be reckoned as part of any punishment afterwards imposed by the Board of

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Guardians for the same offence. But it shall not be lawful for the Master to confine any adult Pauper without the direction of the Board of Guardians in that behalf, except in one of the cases specified in this Article.

ARTICLE 44.—Every REFRACTORY Pauper shall be deemed to be also DISORDERLY, and may be punished as such ; but no Pauper who may have been punished for any offence as DISORDERLY shall afterwards be punished for the same offence as REFRACTORY, and no Pauper who may have been punished for any offence as REFRACTORY shall afterwards be punished for the same offence as DISORDERLY.

ARTICLE 45.—No Pauper who may have been under medical care, or who may have been entered in the Weekly Medical Return^a as sick or infirm, at any time in the course of the seven days next preceding the day of the commission of the offence, or who may be reasonably supposed to be under twelve or above sixty years of age, or who may be pronounced by the Medical Officer of the Workhouse to be pregnant, or who may be suckling a child, shall be punished by alteration of diet or by confinement, unless the Medical Officer shall have previously certified, in writing, that no injury to the health of such Pauper is reasonably to be apprehended from the proposed punishment ; and any modification diminishing such punishment which the Medical Officer of the Workhouse may suggest, shall be adopted by the Master.

ARTICLE 46.—No Pauper shall be confined between eight o'clock in the evening and six o'clock in the morning, without being furnished with a bed and bedding suitable to the season, and with the other proper conveniences.

ARTICLE 47.—No child under twelve years of age shall be confined in a dark room, or during the night.

ARTICLE 48.—No corporal punishment shall be inflicted on any male child except by the Schoolmaster or Master of the Workhouse.

ARTICLE 49.—No corporal punishment shall be inflicted on any female child.

^a Weekly Medical Return Book ; Accounts Order, v. 2, Form 30, (p. 699 and 733).

ARTICLE 50.—No corporal punishment shall be inflicted on any male child except with a rod or other instrument, such as shall be seen and approved of by the Board of Guardians or the Visiting Committee.

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ARTICLE 51.—No corporal punishment shall be inflicted on any male child until six hours shall have elapsed from the commission of the offence for which such punishment is inflicted.

ARTICLE 52.—Whenever any male child is punished by corporal correction, the Master and Schoolmaster shall (if possible) be both present.

ARTICLE 53.—No male child shall be punished by corporal correction, whose age may be reasonably supposed to exceed fifteen years.

ARTICLE 54.—The Master of the Workhouse shall keep a book, to be furnished to him by the Guardians, in the Form (A) hereunto annexed^a, in which he shall duly enter—

1stly.—All cases of REFRACTORY or DISORDERLY Paupers, whether children or adults, reported to the Board of Guardians for their decision thereon.

2ndly.—All cases of Paupers, whether children or adults, who may have been punished without the direction of the Board of Guardians, with the particulars of their respective offences and punishments.

ARTICLE 55.—The person who punishes any child with corporal correction shall forthwith report to the Master the particulars of the offence and punishment; and the Master shall enter the same in the book specified in Article 54.

ARTICLE 56.—Such book shall be laid on the table at every Ordinary Meeting of the Board of Guardians, and every entry made in such book since the last Ordinary Meeting shall be read to the Board by the Clerk.

The Guardians shall thereupon, in the first place, give directions as to any confinement or other punishment of any REFRACTORY or DISORDERLY Pauper reported for their decision, and such direction shall be entered on the Minutes of the proceedings of

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the day, and a copy thereof shall be inserted by the Clerk in the book specified in Article 54.

The Guardians, in the second place, shall take into their consideration the cases in which punishments are reported to have been already inflicted by the Master or other Officer; and the opinion of the Guardians in every such case shall be entered on the Minutes of the day, and shall be communicated to the Master by the Chairman or Clerk: and if the opinion of the Guardians be that the Master or other Officer has in any case acted illegally or improperly, a copy of the Minutes of such opinion shall be forwarded by the Clerk to the Commissioners.

ARTICLE 57.—Every Pauper above the age of seven years, who is in the Workhouse, and who may have been punished since the last Ordinary Meeting of the Guardians, or who may be reported as REFRACTORY or DISORDERLY, shall be brought into the Board-room during the sitting of the Board of Guardians, at their next Ordinary Meeting, whether he may request it or not, and shall have an opportunity of complaining to the Guardians of any undue punishment, or of any unjust charge; and the fact of such Pauper having been brought before the Guardians, shall be entered on the Minutes of the proceedings of the day.

ARTICLE 58.—The Master shall cause a legible copy of the Regulations respecting DISORDERLY and REFRACTORY Paupers contained in this Order, to be kept suspended in the Dining-hall of the Workhouse, in the School-room or School-rooms, and in the Probationary Wards, and also in the Board-room of the Guardians.

VISITING COMMITTEE.

Visiting
Committee.

ARTICLE 59.—The Board of Guardians shall appoint a VISITING COMMITTEE from their own body, who shall carefully examine the Workhouse of the Union once in every week at least, shall inspect the last Reports of the Chaplains and Medical Officer of the Workhouse, shall examine the stores in the Workhouse, and ascertain the truth and circumstances of any complaints that may be made to them. And the Visiting Committee shall from

time to time write such answers as the facts may warrant to the following queries, which are to be printed in a book, entitled the "REPORT BOOK OF THE VISITING COMMITTEE," to be provided by the Guardians, and kept in the Workhouse for that purpose, and to be submitted regularly to the Board of Guardians at their Ordinary Meeting :—

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Visiting
Committee.

Question 1. Is the Workhouse, with its wards, offices, yards, and appurtenances, clean and well ventilated in every part?—if not, state the defect or omission.

Q. 2. Do the adult inmates of the Workhouse, of all classes, appear clean in their persons, and decent and orderly in their behaviour?—if not, state the exceptions.

Q. 3. Are the able-bodied inmates of each sex employed and kept at work as directed by the Board of Guardians?—if not, and if any improvement can be suggested in their employment, state the same.

Q. 4. Are the infirm of each sex who are capable of work, employed and kept to work as far as their circumstances admit of it, and as directed by the Board of Guardians?—if not, and if any improvement can be suggested, state the same.

Q. 5. Are the persons, infirm in body or mind, of each sex, properly attended to, according to their several conditions?

Q. 6. Are the boys and girls in the school making due progress in reading, writing, and arithmetic, and do the Chaplains regularly attend to their religious instruction?

Q. 7. Is the industrial training of the boys and girls properly attended to, and are they employed as the Guardians have directed?

Q. 8. Are the boys and girls clean in their persons, and correct in their behaviour?

Q. 9. Are the young children properly nursed and taken care of, and do they appear in a clean and healthy state?

Q. 10. Is regular attendance given by the Medical Officer?

Q. 11. Do the inmates of the Infirmary appear to be in as satisfactory a state as their ailments admit of?—Is there any infectious disease in the Workhouse?—if so, state the particulars. Is there any child not vaccinated?

Q. 12. Is divine service regularly performed?—Are prayers regularly read?

Q. 13. Is the established dietary duly observed? and are the hours of meals regularly adhered to?

Q. 14. Are the provisions and other supplies of the qualities contracted for?

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Committee.

Q. 15. Is the separation of the various classes strictly enforced, according to Article 9?

Q. 16. Is any complaint made by any Pauper against any Officer, or in respect of the provisions or accommodations?—if so, state the name of the complainant, and the subject of the complaint.

ARTICLE 60.—It shall be lawful for the Commissioners, or any of them, or the *Assistant Commissioner*^a, or any of the Inspectors, to visit and inspect the Workhouse, and to enter any remarks thereon in the book containing the questions to be answered by the Visiting Committee; and no Officer of such Workhouse shall in any way, directly or indirectly, impede such visit or inspection or the entry of such remarks.

THE REPAIRING, UPHOLDING, AND INSURING OF THE WORKHOUSE.

Upholding,
&c., of
Workhouse.

ARTICLE 61.—The Guardians shall once at least in every year, and as often as may be necessary for cleanliness, cause all the rooms, wards, offices, and privies belonging to the Workhouse, to be lime-washed, and the cesspools to be emptied.

ARTICLE 62.—The Guardians shall uphold and maintain the premises constituting the Workhouse in good and substantial repair; and shall, from time to time, remedy, without delay, any such defect in the repair of the house, its drainage, warmth, or ventilation, or in the furniture or fixtures thereof, as may tend to injure the health of the inmates; and with a view to so upholding and maintaining the Workhouse, they shall insure and keep insured the same, against loss or damage by fire, for such a sum, being reasonably sufficient to cover any probable loss, and in such manner, as the said Guardians may determine.

DUTIES OF THE OFFICERS OF THE WORKHOUSE.

Duties of
Officers.

ARTICLE 63.—The duties of the several Officers of the Workhouse and their Assistants appointed or to be appointed by the Board of Guardians, under the Regulations of the Commissioners^b, or by the Commissioners in default of appointment by

^a See note ^b, (p. 159,) on § 6 of 10 & 11 Vic. c. 90.

^b General Regulations, art. 25 (p. 620).

the Board of Guardians, shall be, respectively, such as are hereinafter specified^a.

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DUTIES OF THE MASTER.

ARTICLE 64.—The following shall be the Duties of the Master of the Workhouse:—

Master's
Duties.

No. 1.—To admit Paupers into the Workhouse in obedience to any Order made under Article 1, and also persons, applying for admission, who may appear to him to require relief through any sudden and urgent necessity, or who shall be named in any written recommendation from a Warden and shall appear to the Master to be destitute and proper objects for admission; and to cause every Pauper upon admission to be examined by the Medical Officer, as is directed in Article 4.

No. 2.—To register^b the name and religious persuasion of every Pauper, upon his admission; and to cause every Male Pauper above the age of seven years, upon admission, to be searched, cleansed, and clothed, and to be placed in the ward appropriated to the class to which he appears to belong.

No. 3.—To enforce industry, order, punctuality, and cleanliness, and the observance of the several Rules herein contained, by the Paupers in the Workhouse, and by the several Officers, Assistants, and Servants therein employed.

No. 4.—To read prayers to the Paupers before breakfast and after supper every day, or cause prayers to be read; at which all the inmates must attend, excepting those who are incapacitated through sickness, infirmity, or infancy, and those who object to such attendance on account of their religious principles: and to the Paupers making such declaration, the Master shall, if practicable, cause prayers to be read by some one of their own religious persuasion.

No. 5.—To cause the Paupers to be inspected, and their names called over, immediately after morning prayers every day, in order that it may be seen that each individual is clean and in a proper state.

No. 6.—To provide for and enforce the employment of the able-bodied adult Paupers, during the whole of the hours of labour; to assist in training the youth in such employment as will best fit them for gaining their own living; to keep the partially disabled Paupers occupied to the extent of their ability; and to allow none who are capable of employment to be idle at any time.

No. 7.—To visit the Sleeping Wards of the Male Paupers at ELEVEN O'CLOCK in the forenoon of

^a And see Duties prescribed in Accounts Order, p. 687.

^b Form of Workhouse Register, and Regulation in Accounts Order, II. 1, and Form 6, (p. 693 and 712).

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Master's
Duties.

- every day, and to see that such Wards have been all duly cleansed and properly ventilated.
- No. 8.—To see that the meals of the Paupers are properly dressed and served, and to superintend the distribution thereof, in accordance with Articles 16, 19, and 20.
- No. 9.—To say, or cause to be said, Grace before and after meals.
- No. 10.—To see that the dining halls, tables, and seats are cleansed after each meal.
- No. 11.—To visit all the Wards of the Male Paupers at or before NINE o'CLOCK every night, and see that all the Male Paupers are in bed, and that all fires and lights are extinguished.
- No. 12.—To receive from the Porter the keys of the entrance to the Workhouse, at NINE o'CLOCK every night, and to deliver them to him again at SIX o'CLOCK every morning, or at such hours as shall, from time to time, be fixed by the Board of Guardians and approved by the Commissioners.
- No. 13.—To see that the Male Paupers are properly clothed, and that their clothes are kept in proper repair.
- No. 14.—To send for the Medical Officer of the Workhouse in case any Pauper is taken ill, or becomes insane; and to take care that all sick and insane Paupers are duly visited by the Medical Officer, and are provided with such medicines and attendance, diet, and other necessities, as the Medical Officer shall in writing direct; and to apprise the nearest relation in the Workhouse of the sickness of any Pauper. And in the case of dangerous sickness, to send for the Chaplain or other licensed Minister of the persuasion of the Pauper, as well as for any relative or friend of such Pauper, resident within a reasonable distance, whom he may desire to see.
- No. 15.—To give immediate information of the death of any Pauper in the Workhouse, to the Medical Officer, and to the nearest relations of the deceased who may be known to him, and who may reside within a reasonable distance; and if the body be not removed within a reasonable time, to provide for the interment thereof.
- No. 16.—To take charge of the clothes and other articles, if any, of such deceased Pauper, and deliver an inventory thereof to the next Meeting of the Board of Guardians, who shall give the necessary directions respecting the same.
- No. 17.—To keep all Books of Accounts which he is, or hereafter may be, by any Order under the Seal of the Commissioners, directed and required to keep*; to allow the same to be constantly open to

* Accounts Order, § II. (p. 693).

the inspection of any of the Guardians of the Union, and to submit the same to the Guardians at their Meetings.

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No. 18.—To keep a Book in the Form (B) to this Order annexed^a, to be entitled “The Diet Class Book,” in which he shall, every evening, enter the numbers of the several classes of Healthy and Sick Inmates, as ascertained by the daily roll-call in each department of the Workhouse, as directed in Article 15.

Master's
Duties.

No. 19.—To keep a daily Diet Book in the Form (C) to this Order annexed^b; and for the better regulation of the issues of provisions from store, to ascertain and enter in the said book, before each meal, the numbers of each of the several classes who are to partake thereof, and the quantities of each article of diet, which, according to the existing dietary, shall be required for each class, and likewise to enter the quantities of each article to be taken from store for consumption at such meal by the healthy inmates of the Workhouse.

No. 20.—In like manner to keep and daily enter up a Daily Diet Book in the Form (D) to this Order annexed^c, for the sick inmates.

No. 21.—To submit to the Board of Guardians at every Ordinary Meeting an estimate of such provisions and other articles as are required for the use of the Workhouse, and to receive and execute the directions of the Board of Guardians thereupon.

No. 22.—To receive all provisions and other articles purchased or procured for the use of the Workhouse, and before placing them in store to weigh the same, and examine and compare them with the bills of parcels or invoices severally relating thereto; and after having proved the accuracy of such bills or invoices, to authenticate the same with his signature, and submit them to the Board of Guardians at their next Ordinary Meeting.

No. 23.—To receive and take charge of all provisions, clothing, linen, and other articles, belonging to the Workhouse, or confided to his care by the Board of Guardians, and issue the same to the Matron or other persons as may be required; and such articles shall be applied to such purposes as shall be authorized or approved of by the Board of Guardians and to no other.

No. 24.—To take stock of provisions, clothing, linen, and other articles belonging to the Workhouse, once at the least in every half-year, (that is to say, on the 25th day of March and the 29th day of September, respectively,) in the presence of two Guardians, to be named a Committee for this special purpose, and the Clerk of the Union.

^a Page 677.

^b Page 678.

^c Page 679.

WORKHOUSE
RULES:
5 FEB. 1849.

Master's
Duties.

- No. 25.—To obtain the order in writing of the Board of Guardians, duly entered in the ORDER BOOK provided for that purpose and signed by the Chairman, before purchasing or procuring any articles for the use of the Workhouse, or ordering any alterations or repairs of any part of the premises, or of the furniture or other articles belonging thereto.
- No. 26.—To read over to the Paupers such of the Regulations herein contained, and at such times, as the Board of Guardians shall direct.
- No. 27.—To report to the Board of Guardians, from time to time, the names of such Children as may be fit to put out to service or other employment, and to take the necessary steps for carrying into effect the directions of the Board of Guardians thereon.
- No. 28.—To keep a book to be called "The Master's Journal;" to enter therein every important occurrence in the Workhouse, other than those entered in the book required by Article 54 to be kept, and to cause such book to be laid before the Board of Guardians at every Ordinary Meeting.
- No. 29.—To take care that the wards, rooms, larder, kitchen, and all other offices of the Workhouse, and all the utensils and furniture thereof, be kept clean and in good order; and as often as any defect in the same or in the state of the Workhouse shall occur, to report the same in his Journal to the Board of Guardians at their next Ordinary Meeting.
- No. 30.—To inform the Visiting Committee and the Board of Guardians of the state of the Workhouse in every department; and to report in his Journal to the Board of Guardians, at their next Ordinary Meeting, any negligence or other misconduct on the part of any of the subordinate officers or servants of the establishment; to offer suggestions to the Board of Guardians for the correction of abuses and the introduction of improvements in the management of the Workhouse; and generally to observe and fulfil all lawful orders and directions of the Board of Guardians suitable to his office.

DUTIES OF THE MATRON.

Matron's
Duties.

ARTICLE 65.—The following shall be the Duties of the Matron of the Workhouse:—

- No. 1.—In the absence of the Master, or during his inability, to act as his substitute in all matters relating to the admission of Paupers into the Workhouse; and to cause every Pauper, upon such admission, to be duly registered and examined by the Medical Officer, as is directed in Article 4.*

- No. .—To cause the Pauper children under the age of seven years, and the female Paupers, to be searched, cleansed, and clothed, upon their admission, and to be placed in the wards appropriated to the classes to which they appear to belong.
- No. 3.—To provide for and enforce the employment of the able-bodied female Paupers during the whole of the hours of labour; and to keep the partially disabled female Paupers occupied to the extent of their ability; and to assist the Schoolmistress in training up the children so as best to fit them for service.
- No. 4.—To call over the names of the Paupers, as is directed in Article 15; to inspect their persons, and see that each individual is clean.
- No. 5.—To visit all the wards of the females and children every night before nine o'clock, and to ascertain that all the Paupers in such wards are in bed, and all the fires and lights therein extinguished.
- No. 6.—To pay particular attention to the moral conduct and orderly behaviour of the females and children, and to see that they are clean and decent in their dress and persons.
- No. 7.—To superintend and give the necessary directions for making and mending the linen and clothing supplied to the male Paupers, and all the clothing supplied to the female Paupers and children; and to take care that all such clothing be marked with the name of the Union.
- No. 8.—To see that every Pauper in the Workhouse has clean linen once a week, and that all the beds be kept in a clean and wholesome state.
- No. 9.—To take charge of the linen and stockings for the use of the Paupers, and the other linen in use in the Workhouse, and to apply the same to such purposes as shall be authorized or approved of by the Board of Guardians, and to no other.
- No. 10.—To superintend and give the necessary directions concerning the washing, drying, and getting up of the linen, stockings, and blankets; and to see that the same be not dried in the sleeping wards, or in the sick wards.
- No. 11.—To take care, with the assistance of the Nurses, of the children and sick Paupers; and to provide the proper diet for the children and the sick Paupers, and to furnish them with such changes of clothes and linen as may be necessary.
- No. 12.—To make a requisition for such articles as she deems to be necessary, in a Book to be provided for the purpose; such book, when signed by the Master, to be laid by him before the Board of Guardians at their next Ordinary Meeting.

WORKHOUSE
RULES:
5 FEB. 1849.
Matron's
Duties.

**WORKHOUSE
RULES:
5 FEB. 1849.**

**Matron's
Duties.**

No. 13.—To assist the Master in the general management and superintendence of the Workhouse, and especially in—

Enforcing the observance of good order, cleanliness, punctuality, industry, and decency of demeanour among the Paupers;

Cleansing and ventilating the sleeping wards and the dining hall, and all other parts of the premises;

Placing in store and taking charge of the provisions, clothing, linen, and other articles belonging to the Union.

No. 14.—To report to the Master any negligence, or other misconduct, on the part of any of the subordinate officers or servants of the establishment.

No. 15.—And generally to observe and fulfil all lawful orders and directions of the Board of Guardians suitable to her office.

DUTIES OF THE SCHOOLMASTER AND SCHOOLMISTRESS.

**Duties of
Schoolmaster
and School-
mistress.**

ARTICLE 66.—The following shall be the Duties of the Schoolmaster and Schoolmistress:—

No. 1.—To instruct the boys and girls according to the directions expressed in Article 23.

No. 2.—To regulate the discipline and organization of the School, and the industrial and moral training of the children, subject to the directions of the Board of Guardians.

No. 3.—To accompany the children when they quit the Workhouse for exercise.

No. 4.—To keep the children clean in their persons, and orderly and decorous in their conduct.

No. 5.—To assist the Master and Matron, respectively, in maintaining due subordination in the Workhouse.

DUTIES OF THE PORTER.

**Porter's
Duties.**

ARTICLE 67.—The following shall be the Duties of the Porter of the Workhouse:—

No. 1.—To keep the Gate, and to prevent any person, not being an Officer of the Workhouse or of the Union, or one of the Commissioners, or *the Assistant Commissioner*^a, one of the Inspectors, or any person authorized by law, or by the Commissioners, or Board of Guardians, from entering into or going out of the house without the leave of the Master or Matron.

^a See note ^b, (p. 159,) on § 6 of 10 & 11 Vic. c. 90.

No. 2.—To keep a Book in which he shall enter the name and business of every Officer or other person who shall go into the Workhouse, and the name of every Officer or other person who shall go out thereof, together with the time of such Officer's or person's going in or out^a.

WORKHOUSE
RULES:
5 FEB. 1849.

Porter's
Duties.

No. 3.—To receive all Paupers who apply for admission with a proper Order, as directed in Article 1, or under circumstances of sudden or urgent necessity; and if the Master and Matron be both absent, to place such Paupers in the Probationary Ward until the Master or Matron return.

No. 4.—To take charge of the Clothes of each Pauper on his admission to the Workhouse, and to deposit them, when purified, in a place appropriated for the purpose, having affixed to them a list of the articles and the name of the Pauper to whom they belong.

No. 5.—To examine all Parcels and Goods before they are received into the Workhouse, and prevent the admission of any spirituous or fermented liquors, or other articles contrary to law, or to any of the Regulations herein contained^b.

No. 6.—To search any Pauper entering or leaving the Workhouse whom he may suspect to have possession of any spirits or other prohibited articles^b, and to require any other person entering the Workhouse whom he may suspect of having possession of any such spirits or prohibited articles, to satisfy him to the contrary before he shall permit such person to be admitted.

No. 7.—To examine all Parcels taken by any Pauper out of the Workhouse, and to prevent the undue removal of any article from the premises.

No. 8.—To lock all the outer doors, and take the keys to the Master at Nine o'clock every night, and to receive them back from him every morning at Six o'clock, or at such hours as shall, from time to time, be fixed by the Board of Guardians and approved of by the Commissioners; and if any application for admission to the Workhouse be made after the keys shall have been so taken to the Master, to apprise the Master forthwith of such application.

No. 9.—To assist the Master, Matron, Schoolmaster and Schoolmistress, in preserving order, and in enforcing obedience and due subordination in the Workhouse.

No. 10.—To inform the Master of all things affecting the security, order, and interest of the Workhouse, and to obey all the lawful directions of the Master or Matron, and of the Board of Guardians.

^a See a Form suggested for Porter's Book, p. 684.

^b § 58 of 1 & 2 Vic. c. 56 (p. 46), and art. 20, 30, 31, of these Workhouse Regulations.

WORKHOUSE
RULES:
5 FEB. 1849.

Medical
Officer's
Duties.

DUTIES OF THE MEDICAL OFFICER FOR THE
WORKHOUSE.

ARTICLE 68.—The following shall be the duties of the Medical Officer for the Workhouse:—

- No. 1.—To attend at the Workhouse daily and not later than twelve o'clock at noon, and also when sent for by the Master, Matron or Porter of the Workhouse, in cases of sudden illness, accident, or other emergency; and at all such other times as the state of the sick or insane patients within the Workhouse may render necessary.
- No. 2.—To examine the state of the Paupers on their admission into the Workhouse; to examine the state of the patients in the sick wards; and also the state of any sick or insane Pauper in the other wards.
- No. 3.—To give all necessary directions as to the diet, classification, and treatment of the sick Paupers, and Paupers of unsound mind, and to report to the Board of Guardians any Pauper of unsound mind in the Workhouse whom he may deem to be dangerous.
- No. 4.—To enter in a book, to be provided for that purpose, called the Sick Dietary Book, all directions which he may give regarding the diet of sick Paupers, and Paupers of unsound mind, and to submit the same to the Guardians at their weekly meetings.
- No. 5.—To report in writing to the Board of Guardians any defect in the diet, drainage, ventilation, warmth, or other arrangement of the Workhouse, or any excess in the number of any class of inmates, which he may deem to be detrimental to the health of the inmates.
- No. 6.—To give all necessary directions as to the diet of the children; and to vaccinate such of the children as may require vaccination.
- No. 7.—To make a weekly return, to the Board of Guardians in a Book prepared according to the prescribed form^a, and to insert therein the date of every attendance, and to deliver the same, when completed, to the Guardians.
- No. 8.—To enter in his weekly return^a the death of every Pauper who shall die in the Workhouse, together with the apparent cause thereof.
- No. 9.—To give to the Guardians, when required, any reasonable information respecting the case of any Pauper who has been under his care; to make any such written report relative to any sickness prevalent among the Paupers in the Workhouse

^a Accounts Order, Form 30, (in Part II. 4).

as the Board of Guardians or the Commissioners may require of him; and to attend the Board of Guardians when requested by them so to do.

WORKHOUSE
RULES:
5 FEB. 1849.

DUTIES OF CHAPLAIN.

ARTICLE 69.—The following shall be the duties of a Chaplain of the Workhouse:—

Chaplain's
Duties.

No. 1.—To celebrate Divine Service, and to preach to the Paupers, every Sunday, and on such other days as it may be directed by competent authority.

No. 2.—To visit any Sick Pauper in the Workhouse from time to time, and at all times when he may be applied to for that purpose by the Master or Matron.

No. 3.—To examine and catechise the Children at least once in every month; and after each of such examinations to record the same, and state the general progress of the Children in a Book to be kept for that purpose, to be laid before the Board of Guardians, at their next Ordinary Meeting; in which book the Chaplain shall also insert the date of each of his attendances at the Workhouse.

Provided, always, that it shall be lawful for the Guardians, with the previous consent of the Commissioners, to dispense with the performance of any of the duties specified in this Article.

Provided, also, that nothing herein prescribed shall be construed to authorize any Chaplain or other Officer of the Workhouse to act otherwise than in conformity with the provisions of the 49th section of the first-recited Act.

EXPLANATION OF TERMS.

ARTICLE 70.—Whenever the word “Guardians,” or the words “Board of Guardians,” are used in this Order, such word or words shall be taken to signify the Guardians and Board of Guardians appointed or acting for the Union to which the Workhouse subject to these Regulations belongs, or to the Paid Officers acting in execution of the duties of such Board of Guardians.

Interpreta-
tion of Terms.

ARTICLE 71.—Whenever the word “Commissioners” is used in this Order, it shall be taken to signify the Commissioners for administering the Laws for Relief of the Poor in Ireland.

ARTICLE 72.—Whenever there may be more than one Workhouse belonging to a Union, this Order shall be held to apply to each and every of

WORKHOUSE
RULES:
5 FEB. 1849.

Interpreta-
tion of Terms.

such Workhouses, in so far as the Regulations herein contained shall be applicable to the class or classes of Paupers, respectively, maintained in any such Workhouse, and to the Officers appointed or to be appointed for such Workhouse.

ARTICLE 73.—Whenever, in describing any person or party, matter or thing, the word importing the singular number or the masculine gender only is used in this Order, the same shall be taken to include, and shall be applied to several persons or parties as well as one person or party, and females as well as males, and several matters or things as well as one matter or thing, respectively, unless there be something in the subject or context repugnant to such construction.

ARTICLE 74.—Whenever in this Order any Article is referred to by its number, the Article of this Order bearing that number shall be taken to be signified thereby.

FORM (A).^a

Offence and
Punishment
Book.

No. of Case.	Name.	Offence.	Date of Offence.	Punish- ment inflict- ed by Master or other Officer.	Opinion of Guar- dians thereon.	Punish- ment ordered by Board of Guar- dians.	Date of Punish- ment.	Initials of Clerk.	Obser- vations.

^a Articles 54 to 56 of Workhouse Regulations (p. 663-4).

FORM (B).^a

_____ Union Workhouse.
Diet Classes for _____ the _____ day of _____, 18--.

[illegible]

a Art. 64, No. 18 (p. 669).

FORM (C)*.

Daily Diet Book for Healthy Inmates, _____ day of _____, 18--.

Quantities of Prepared Food required in Pints, Ounces, &c., for each Class.									
Breakfast.				Dinner.				Supper.	
No. in Class.				No. in Class.				No. in Class.	
Class I,									
Class II,									
Class III,									
Class IV,									
Class V,									
Class VI,									
Class VII,									
Totals,									
Articles to be taken from } Store for each meal, . . }									

* Art. 64, No. 19 (p. 669).

— day of —, 18—.

Daily Diet Book for the Sick.

(FORM D).^a

Diets.	No. in each Class.	Quantities of Prepared Food required in Pints, Ounces, &c.											
		Breakfast.				Dinner.				Supper.			
Diet, No. 1.	I. II. III. IV.												
Diet, No. 2.	I. II. III. IV.												
Diet, No. 3.	I. II. III. IV.												
Diet, No. 4.	I. II. III. IV.												
Diet, No. 5.	I. II. III. IV.												
Diet, No. 6.	I. II. III. IV.												
Infant Diets.	. . .												
Totals.	. . .												
Articles taken from Store to supply each Meal.													
EXTRAS ORDERED.													
Name of Patient.	No. of Ward.	Wine.	Whiskey.	Porter.	Name of Patient.	No. of Ward.	Wine.	Whiskey.	Porter.				
Totals.					Totals.								

WORKHOUSE

RULES:
5 FEB. 1849.

Names of
Unions to
which this
Order
applies.

SCHEDULE,

Containing the Names of the Unions to which this Order refers^a.

Abbeyleix,	Cavan,	Gortin,	Mullingar,
Antrim,	Celbridge,	Granard,	Naas,
Ardee,	Clifden,	Inishowen,	Navan,
Armagh,	Clogheen,	Kanturk,	Nenagh,
Athlone,	Clogher,	Kells,	Newcastle,
Athy,	Clones,	Kenmare,	New Ross,
Bailieborough,	Clonmel,	Kilkeel,	Newry,
Ballina,	Coleraine,	Kilkenny,	Newtownards,
Ballinasloe,	Cookstown,	Killarney,	N.T.Limavady
Ballinrobe,	Cootehill,	Kilmallock,	Oldcastle,
Ballycastle,	Cork,	Kilrush,	Omagh,
Ballymena,	Dingle,	Kinsale,	Parsonstown,
Ballymoney,	Donegal,	Larne,	Rathdown,
Ballyshannon,	Downpatrick,	Letterkenny,	Rathdrum,
Balrothery,	Drogheda,	Limerick,	Rathkeale,
Baltinglass,	Dublin, North,	Lisburn,	Roscommon,
Banbridge,	Dublin, South,	Lismore,	Roscrea,
Bandon,	Dundalk,	Lisnaskea,	Scariff,
Bantry,	Dunfanaghy,	Listowel,	Shillelagh,
Belfast,	Dungannon,	Londonderry,	Skibbereen,
Boyle,	Dungarvan,	Longford,	Sligo,
Cahiriveen,	Dunmanway,	Loughrea,	Strabane,
Callan,	Dunshaughlin,	Lowtherstown,	Stranorlar,
Carlow,	Edenderry,	Lurgan,	Swineford,
Carrickmacross,	Ennis,	Macroom,	Thurles,
Carrick-on-	Enniscorthy,	Magherafelt,	Tipperary,
Shannon,	Enniskillen,	Mallow,	Tralee,
Carrick-on-Suir	Ennistymon,	Manorhamilton	Trim,
Cashel,	Fermoy,	Midleton,	Tuam,
Castlebar,	Galway,	Milford,	Tullamore,
Castleblayney,	Glenties,	Mohill,	Waterford,
Castlederg,	Gorey,	Monaghan,	Westport,
Castlerea,	Gort,	Mountmelick,	Wexford.

Sealed with our Seal, this Fifth Day of February,
in the Year of our Lord One Thousand
(L.S.) Eight Hundred and Forty-Nine.

(Signed) E. T. B. TWISLETON,
Chief Commissioner.

T. N. REDINGTON,
Under Secretary to the Lord Lieutenant.

CLARENDON.

I, GEORGE WILLIAM FREDERICK, EARL OF
CLARENDON, Lord Lieutenant-General and General
Governor of Ireland, do hereby approve this Order.

By His Excellency's Command,

T. N. REDINGTON.

^a Afterwards extended to the new Unions formed since the date of this Order; and the regulations contained in it now apply to all the Unions in Ireland.

VACCINATION IN WORKHOUSES.

CIRCULARS.

Vaccination
in Work-
houses.

SUPPLY OF VACCINE VIRUS FOR WORKHOUSES :—
CIRCULAR TO BOARDS OF GUARDIANS.

*Poor Law Commission Office, Dublin,
7th March, 1848.*

The attention of the Commissioners for administering the Laws for Relief of the Poor in Ireland having been called to the means of supplying Vaccine Virus for the use of the Medical Officers of Unions^a in Ireland, and the Commissioners having had under consideration communications from the Directors of the Cow-Pock Institution in Dublin, from which a great number of public establishments in this country are supplied with Virus for Vaccination, the Commissioners desire to suggest to the respective Boards of Guardians the expediency of their making arrangements for procuring the requisite supplies thereof from that Institution, as the best means of insuring a regular and sufficient supply of effective Virus.

It appears that several Unions have already subscribed with advantage for this purpose, by payment to the Institution of a sum of ———^b annually; and the Commissioners recommend the adoption of this course by all the Unions which do not at present adopt it.

The expense will be chargeable to Establishment.

By Order, &c.

To the Clerk of each Union.

^a This refers to the Medical Officers of the Workhouses, only : see Circular of 12th July, 1853, as to supply of vaccine lymph for Dispensary Districts, (in Part II. 9.)

^b The subscription entitling the Guardians to such supplies of vaccine lymph as may be required from time to time from the Cow-Pock Institution in Dublin, for the Workhouse, is now half-a-guinea per annum. A similar subscription for each or any Dispensary District, will enable them to have vaccine lymph supplied in like manner to any such district for which they subscribe to the Institution.

*Poor Law Commission Office, Dublin,
18th May, 1848.*

The Directors of the Cow-Pock Institution have expressed their desire to be furnished with an annual report of the numbers vaccinated in each Workhouse, the periods adopted for the inspection of the several cases, and such other information concerning Vaccination as the Medical Officers of the Workhouses may be able to communicate, which it is considered would materially assist in affording important information as to the progress of Vaccination.

The Commissioners accordingly transmit herewith a form of Register, in which the requisite particulars may be recorded: and the Commissioners request that the Medical Officer of the Workhouse may be supplied with a book, in the accompanying form, and be instructed to register therein every case of Vaccination by him in the Workhouse, in any Union where the Guardians subscribe to the Cow-Pock Institution for the supply of vaccine virus.

The Commissioners also request that a return containing a summary of the cases thus registered, may be furnished annually to this office, immediately after 25th March.

FORM TRANSMITTED WITH FOREGOING CIRCULAR.

_____ Workhouse. Register of Inoculations. Year 18—.

[illegible]

EXAMINATION AND VACCINATION OF INMATES ON AD-
MISSION INTO WORKHOUSE:—EXTRACT FROM CIRCULAR OF COMMISSIONERS TO BOARDS OF GUARDIANS.

CIRCULARS.

Vaccination
in Work-
houses.

*Poor Law Commission Office,
Dublin, 14th March, 1850.*

I am directed by the Commissioners to state, that from further information which has come before them, it appears that many persons admitted into Workhouses have never been vaccinated. The Commissioners, therefore, think it desirable, for the protection of such inmates against small pox in case of its occurrence in the Workhouse, that the Medical Officer should examine the inmates of the Workhouse, and ascertain whether each of them has been vaccinated, and should vaccinate any not already vaccinated.

The Medical Officer should also, in the examination which he is required to make of the inmates on their admission into the Workhouse (in pursuance of the Workhouse Regulations, Articles 4 and 5, and Article 68, No. 2^a), in like manner ascertain whether they have been vaccinated, and vaccinate any who have not been previously vaccinated, and who are in a fit state to be vaccinated.

The Commissioners request that the Board of Guardians will give instructions accordingly to the Medical Officer of the Workhouse, and to any other Medical Officer of the Union attending any Auxiliary Workhouse or Workhouses therein.

^a Pages 648, 674.

NOTE.—The following Form can be used for the Porter's Book, directed to be kept by the Porter of the Workhouse for entering the particulars described in the Workhouse Rules, (Article 67, No. 2^a.)

UNION.—WORKHOUSE PORTER'S BOOK. —

[illegible]

PART II.

4.—ACCOUNTS.

GENERAL ORDER OF 8TH APRIL, 1853,

FOR REGULATING THE

KEEPING AND AUDITING OF ACCOUNTS,

AND PRESCRIBING

FORMS OF ACCOUNTS

TO BE

KEPT BY OFFICERS OF UNIONS.

WITH CIRCULARS OF INSTRUCTIONS, &c.

1871

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Letter to Boards of Guardians accompanying foregoing Order, 751

PART II. 4.

GENERAL ORDER OF 8TH APRIL, 1853, FOR KEEPING AND AUDITING UNION ACCOUNTS.

ACCOUNTS
ORDER:
8 APRIL 1853.

To the GUARDIANS OF THE POOR of the several UNIONS named in the List hereunto annexed^a; to the OFFICERS of the said Unions; to the Clerk or Clerks to the Justices of Petty Sessions held for the Division or Divisions in which the Townlands and Places comprised within the said Unions are situated; and to all others whom it may concern.

IN pursuance of the provisions of an Act passed in the Second Year of the Reign of Her present Majesty Queen Victoria, intituled "*An Act for the more effectual Relief of the Destitute Poor in Ireland*," and of the other Acts in force for the Relief of the Destitute Poor in Ireland, We, the Commissioners for administering the Laws for Relief of the Poor in Ireland, do hereby rescind so much of any Order or Orders heretofore issued under Our Seal, or under the Seal of the Poor Law Commissioners, as is in any way repugnant to, or at variance with, the Regulations and Forms herein prescribed, except as to any proceeding taken, or matter or thing done, under such Order, or remaining to be done in continuation of steps already taken under it: And with reference to the Keeping and Auditing of the Accounts of each and every Union named in the List hereunto annexed^a, We do hereby order, direct, and declare as follows:

Previous
Orders Re-
scinded.

I.—ACCOUNTS TO BE KEPT BY THE CLERK.

The CLERK to the Board of Guardians shall, according to the Forms and Directions given in this Order, and in the Schedule hereunto annexed^b, punctually enter up and accurately keep the following Books of Account; namely,—

I.—Accounts
to be kept
by Clerk.

1. *The Minute Book*, in which shall be entered the statistical information laid before the Board of Guardians relating to the inmates of the Work-

Minute Book.

^a Page 734. The Order applies to all the Unions in Ireland.

^b Forms 1 to 5, 19 and 23, (p. 704–711, 721, 728–9).

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Accounts to
be kept by
Clerk.

house, the collection of the Rates, and the state of the Finances of the Union; Minutes of all Orders received from the Commissioners for administering the Laws for Relief of the Poor in Ireland, and of all Letters received from the Commissioners or other parties relating to the business of the Union, and of all Directions given by the Board of Guardians thereon; Minutes of the production and examination of the Register^a, and all other Books and Accounts which are required to be periodically produced, examined, and signed; Minutes of the Reports of the Visiting and Finance Committees, and of the Clerk, the Master, and other Officers of the Workhouse, and of all directions given by the Board thereon; Minutes of all Monies received and paid, all orders and checks given, all Accounts examined and allowed, and all Salaries ordered to be paid; a statement of the number of Cases of provisional Relief, and of applications for relief, brought before the Board and considered and decided on by them; as well as all other business, proceedings, and transactions of the Board of Guardians, at any of their Meetings.

Ledger.

2. *The Ledger*, in which shall be entered and posted up weekly, under proper heads of account, duly arranged, the various items of money transactions contained in the Minute Book. The following shall be heads of Account:—

- | | |
|---------------------------------------|--|
| 1. Treasurer. | 12. Emigration Loan Account. |
| 2. Invoice Account. | 13. Burial Account. |
| 3. Provision Account. | 14. Election, Law, and other Expenses Account. |
| 4. Maintenance Account. | 15. Repayment of Annuities Account. |
| 5. Clothing Account. | 16. Medical Charities Expenses Account. |
| 6. Out-door Invoice Account. | 17. Unpaid Bills Account. |
| 7. Relief by way of Loan Account. | 18. Separate Account with each Electoral Division. |
| 8. Establishment Account. | 19. Balance. |
| 9. Valuation Account. | |
| 10. Collector's Remuneration Account. | |
| 11. Emigration Account. | |

^a The Register of Paupers relieved in the Workhouse, kept by the Master under § 43 of 1 & 2 Vic. c. 56; and also the Register of Paupers relieved out of the Workhouse, kept by the Clerk, under § 11 of 10 Vic. c. 31.

3. *The Personal Ledger*, in which shall be entered and posted up weekly, on the debit side all payments made to Officers, Contractors, or other persons, and on the credit side, the corresponding periods of service, description and value of goods delivered or work done, as the case may be; and the said Ledger shall be indexed alphabetically.

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Accounts to be kept by Clerk.

Personal
Ledger.

4. *The Order Check Book* (Form 1^a); the leaves of which shall respectively contain all Orders given by the Board of Guardians for provisions, stores, repairs, or other requisites, and counterparts or minutes of such Orders: such Orders, when signed by the Chairman presiding, and countersigned by the Clerk, to be detached from the said Book, and issued to the tradesmen or other persons dealt with or employed, and such counterparts or minutes to be retained in the same.

Order Check
Book.
Form 1.

5. *The Check Books of Admissions into, and Discharges from, the Workhouse* (Forms 2 and 3^b); of which the leaves of Form 2 shall contain all Orders of Admission into the Workhouse, and the leaves of Form 3 shall contain all Orders of Discharge from the Workhouse, given by the Board of Guardians, and counterparts or minutes of such Orders: such Orders to be detached from the said Books respectively, and directed to the Master of the Workhouse, and such counterparts or minutes to be retained in the same.

Check Books
of Admis-
sions and
Discharges.
Forms 2 and
3.

6. *The Out-door Relief Register* (Form 19^c), in which shall be punctually entered from time to time the names and descriptions of the several persons relieved out of the Workhouse, and other particulars, according to the Form and instructions in the said Schedule, numbered 19^c.

Out-door
Relief
Register.
Form 19.

7. *The Abstract of the Out-door Relief Lists* (Form 23^d), in which shall be punctually entered up from time to time, from the Out-door Relief Lists of the Relieving Officers, the total cost of such Relief administered during the preceding week, both in money and in kind, chargeable to each Electoral Division and to the Union at large,

Abstract
of the Out-
door Relief
Lists.
Form 23.

^a Page 704.

^b Page 705.

^c Page 721.

^d Page 728-9.

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*Accounts to
be kept by
Clerk.*

Accounts to
be made up
and balanced
by Clerk
Half-yearly ;
and Ab-
stracts to
be made :

Half-yearly
Abstracts ;

Forms
4 A & 4 B,
5 A & 5 B.

Notice of
Audit of
Accounts to
be given.

according to the Form and instructions in the said Schedule, numbered 23^a.

8. And we do further Order, that the Clerk to the Board of Guardians shall make up and balance the Accounts of the Union at the end of every Half-year, ending on the 25th day of March and the 29th day of September respectively ; and shall, under the direction of the Board of Guardians, prepare therefrom and from the Relief Books, Medical Returns, and Ledger, an *Abstract* showing the number of Paupers of all classes relieved in the Union, and other particulars, according to the Form and Instructions in the said Schedule numbered 4 *a* and 4 *b* respectively^b, and shall also make up, from the accounts of the several Electoral Divisions, an *Abstract of the separate Accounts of each Electoral Division*, according to the Forms in the said Schedule, numbered 5 *a* and 5 *b* respectively^c, which Abstracts shall be submitted to the Auditor appointed for the Union, and, after they have been attested by the Auditor, shall be signed by the presiding Chairman of the Board of Guardians, as having been laid before the Guardians, and shall then be transmitted to the said Commissioners : and the Clerk shall make duplicates of such Abstracts, which shall also be attested by the Auditor, for the use of the Board of Guardians.

9. And we do further Order, that the Clerk shall, as soon as he shall receive notice of the day appointed^d for the auditing of the Accounts of such Union and the several Electoral Divisions comprised therein, cause to be fixed on the external gate or door of the Workhouse of the Union, and continue the same so affixed, until such Audit shall take place, a Notice to this effect :—

NOTICE is hereby given, that in pursuance of an Order made by the Commissioners for administering the Laws for Relief of the Poor in Ireland, the Half-Yearly Abstracts of the Accounts of the — Union, together with the Ledger and other Books, are deposited at the Board Room, in the Workhouse,

^a Page 728-9.

^b Page 706-7, 703.

^c Page 709, 710-11.

^d Post, section VII. art. 1 (p. 701).

and will be open to be inspected, examined, and copied by any Owner or Rate-payer in the said Union, at any reasonable hour of any day (Sunday [*or* Good Friday] excepted), when the Board is not sitting, until the — day of —. And that on the last-mentioned day and following days, the said Accounts, together with the Accounts of the several Electoral Divisions of the Union, will be audited by — at —; when and where any Owner or Rate-payer, who may object to any matter contained in the said several Accounts, may attend, and his objection will be heard.

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*Accounts to
be kept by
Clerk.*

Dated the — day of — 18—.

D. C., *Clerk to the Board of Guardians.*

And the said Clerk shall, Six clear days before the day appointed for auditing the Accounts of the Union, deposit the said Abstracts and Books in the Board Room of the Guardians of the Union; and shall permit the said Abstracts and Books to be inspected, examined, and copied by any Rate-payer in the Union, at any reasonable hour of the day (not being Sunday or Good Friday), when the Board shall not be sitting, after they shall be so deposited and previous to the day appointed for the auditing thereof.

Abstracts of
Accounts to
be deposited
in Board
Room.

10. And we do further Order, that the Clerk shall, within Fourteen days after each Audit, furnish to every member of the Board of Guardians a copy of said Abstracts, Forms 4 *a* and 4 *b*, and 5 *a* and 5 *b*.

Copies of
Abstracts
to be fur-
nished to
Guardians.

II.—ACCOUNTS TO BE KEPT BY THE WORKHOUSE MASTER.

The MASTER of the WORKHOUSE shall, according to the Forms and Directions given in this Order, and in the Schedule hereunto annexed^a, punctually enter up and accurately keep the following Books of Account, namely,—

II.—*Books
to be kept by
Master of
Workhouse.*

1. *The Workhouse Register*^b, which shall contain a statement of the names and description of all Paupers received into the Union Workhouse, arranged according to the dates of their admission, with particulars respecting them, according to the headings

Register.
Form 6.

^a Master's Accounts, Forms 6-18, (p. 712-720): see also Workhouse Rules for other books to be kept by Master, Articles 54-56, and 64, No. 18, 19 (p. 663-4, 669, 676-679).

^b Page 712.

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of the several columns in the Form numbered 6^a,
that is to say :—

*Books to be
kept by
Master of
Workhouse.*

1. The Number of the Pauper's name.
2. The Name and Surname of the Pauper.
3. The Sex of the Pauper.
4. The Age of the Pauper.
5. If the Pauper be an Adult, whether such adult be single, married, widow, or widower; and if the Pauper be a Child, whether such child be an orphan, a bastard, or deserted by parents.
6. The particular Trade or Calling the Pauper has exercised.
7. The Religious Denomination of the Pauper.
8. Whether the Pauper be disabled, partially or wholly, and the description of the disability.
9. Name of the Wife or Husband of the Pauper.
10. Number of Children of the Pauper.
11. Observations on the Pauper's condition when admitted, and such other information as may be deemed useful.
12. The Electoral Division and Townland in which the Pauper was resident.
13. The Date when the Pauper was admitted, or when born in the Workhouse.
14. Date of Pauper's death in, or discharge from, the Workhouse.

Admission
and Dis-
charge Book.
Form 7.

2. *The Admission and Discharge Book^b*; in which shall be kept an account of every Pauper admitted into and discharged from the Workhouse, according to the Form numbered 7^b.

Record of
Births.
Form 8.

3. *The Record of Births* (Form 8)^c; in which shall be inserted the date of every birth which shall occur in the Workhouse, whether the child be male or female, the names and religious denominations of the Parents, to what Electoral Division chargeable, whether the child be legitimate or illegitimate, when, and in what name, and by whom baptized.

Record of
Deaths.
Form 9.

4. *The Record of Deaths* (Form 9)^d; in which shall be inserted the date of every death which shall occur in the Workhouse, and the cause thereof, together with the name and age of the deceased Pauper, the Electoral Division to which chargeable, and the date of last admission into the Workhouse.

^a Page 712.

^b Form 7, (p. 713).

^c Page 714.

^d Page 714.

5. *The Weekly Relief List* (Form 10 a)^a, and *Abstract* (Form 10 b)^a; in the first of which (a) are to be inserted, for each Electoral Division of the Union, the names of the Paupers, with the number of days each Pauper is in the Workhouse in each week; in the second (b) are to be shown the aggregate number of days in each week passed in the Workhouse by the total number of Paupers of each Electoral Division.

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Books to be
kept by
Master of
Workhouse.
Weekly Re-
lief List and
Abstract.
Forms 10 a
and 10 b.

6. *The Provision Check Account* (Form 11)^b; in which shall be inserted an account of the number of Paupers daily supported in the Workhouse, and the Provisions weekly consumed by them, according to the quantities specified in the Diet Table, and the quantity of other Necessaries used weekly.

Provision
Check Ac-
count.
Form 11.

7. *The Provision Receipt and Consumption Account* (Form 12)^c; in which shall be inserted an account of the articles received and consumed weekly, and remaining on hand at the expiration of every week, and also the quantities of each required for the ensuing week.

Provision
Receipt and
Consumption
Account.
Form 12.

8. *The Clothing Materials Book* (Form 13)^d; in which shall be inserted an account of the Materials for Bedding and Clothing (not made up) which shall be received into the Workhouse, and also an account of the quantity of such materials from time to time made up. The quantities of materials so received and made up shall be balanced weekly; and the quantities of made-up Bedding or Clothing shall be carried weekly to the "Clothing Receipt Book."

Clothing
Materials
Book.
Form 13.

9. *The Clothing Receipt Book* (Form 14)^e; in which shall be inserted an account of the made-up Bedding or Clothing, received either from tradesmen or from the Clothing Materials Store, for the use of the Workhouse, which account shall be balanced weekly.

Clothing Re-
ceipt Book.
Form 14.

10. *The Clothing Appropriation Book* (Form 15)^f; in which shall be inserted an account of the made-up Bedding or Clothing given out for use,

Clothing
Appropriation
Book.
Form 15.

^a Forms 10 a & b, (p. 715).

^b Page 716.

^c Page 717.

^d Page 718.

^e Page 718.

^f Page 719.

ACCOUNTS
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Books to be
kept by
Master of
Workhouse.

Inventory
Book.
Form 16.

Labour Book.

Workhouse
Farm
Account.
Form 17.

Workhouse
Manufacture
Account.
Form 18.

with the name of each Pauper to whom the articles have been supplied, and of the Electoral Division to which he is chargeable, which account shall be balanced weekly.

11. *The Inventory Book* (Form 16)^a; in which shall be inserted the particulars of all Furniture, Fixtures, and Utensils of the Workhouse, and the Stock and other like Property belonging to the Union, in the Workhouse, not included in the Provisions and Clothing Books, and every particular as to the use, sale, or disposal thereof.

12. *The Labour Book*, in which shall be inserted the description and quantity of work, if any, performed by each Pauper daily, with such particulars as may exhibit the state and mode of employment in the Workhouse.

13. *The Workhouse Farm Account* (Form 17)^b; in which shall be kept an account of the Expenses incurred, and value of the Produce raised by cultivation of Land attached to the Workhouse; the debit side of which shall show the value of Stock on hand at the commencement of the Half-year, and the amount expended for Seed, Implements, or Live Stock purchased; and the credit side shall show the quantity and estimated value of Produce consumed in the Workhouse during each week, or the amount received from the sale of surplus produce; and the account shall be made up weekly, and closed at the end of each Half-year, with the estimated value of Stock on hand.

14. *The Workhouse Manufacture Account* (Form 18)^c; in which shall be kept an account of the expenses incurred in Manufactures and Trades carried on in the Workhouse, and the value of the articles produced; the debit side of which shall show the value of Stock on hand at the commencement of each Half-year, and the amount expended in the purchase of Tools, Raw Material, and other necessary articles; and the credit side shall show the estimated value of made-up Clothing, and the

amount received from sale of work or manufactured articles; and the account shall be closed at the end of each Half-year, with the estimated value of Stock remaining on hand.

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III.—ACCOUNTS TO BE KEPT BY THE RELIEVING OFFICER.

III.—*Accounts to be kept by Relieving Officer.*

Every RELIEVING OFFICER shall enter up and accurately keep, according to the Forms and Directions given in this Order and in the Schedule hereunto annexed^a, the following Books of Account, namely:—

1. *The Application and Report Book* (Form 20^b); in which shall be entered the Names and description of the several Applicants for Relief, the amount, nature, and cost of Relief given, and other particulars, according to the Form and instructions in the said Schedule, numbered 20.

The Application and Report Book. Form 20.

2. *The Out-door Relief List* (Form 21^c); in which shall be kept a separate, full, and true account of all Sums and Articles dispensed by the Relieving Officer, for or on account of the Relief of each poor person in the District for which he shall be appointed to act, and other particulars, according to the Form and instructions in the said Schedule, numbered 21.

The Out-door Relief List. Form 21.

3. *The Weekly Receipt and Expenditure Book* (Form 22^d); in which shall be kept a separate, full, and true account of all Sums or Articles received by the Relieving Officer from the Board of Guardians, and expended or dispensed by him on account of each Electoral Division in his District, or the Union at large, as the case may be, according to the Form in the said Schedule, numbered 22; and the account shall be balanced weekly.

The Weekly Receipt and Expenditure Book. Form 22.

4. And we do further Order, that in addition to the said Books, the Relieving Officer shall make out at the end of each Half-year a list of all persons relieved at the charge of each Electoral Division, or the Union at large, in his District, in the Form

List of Persons relieved out of Work-house during the Half-year. Form 24.

^a Schedule of Accounts, p. 704 *et seq.*: Relieving Officers' Accounts, No. 20–22, 24 (p. 722–727, 730.)

^b p. 722–3.

^c p. 724–5.

^d p. 726–7.

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in the said Schedule, numbered 24, and entitled *List of Destitute Persons relieved out of the Workhouse^a*, and he shall post or cause to be posted Copies of the same in such public places as the Board of Guardians shall direct.

IV.—*Ac-
counts to
be kept by
Collector.*

IV.—ACCOUNTS TO BE KEPT BY THE COLLECTOR OF
RATES.

Every COLLECTOR of RATES within the Union shall, according to the Forms and Directions given in this Order, and in the Schedule hereunto annexed^b, punctually enter up and accurately keep the following Books of Account, namely:—

Collecting
Book.
Form 25.

1. *The Collecting Book^c*, in which he shall enter, according to the headings of the several columns in the Form numbered 25, in the said Schedule, particulars relative to the occupiers, the property rated, and the amount, payment, or non-payment of the Poor Rates, for each Electoral Division or District in which he is constituted or appointed Collector of Rates.

Rate Receipt
Check Book.
Form 26.

2. *The Rate Receipt Check Book^d*, the leaves of which shall respectively contain duplicate Receipts for Rates and Counterparts thereof, according to the Form numbered 26 in the said Schedule. Such Receipts to be detached from the said Book, and issued to the respective Rate-payers as and when they shall pay such Rates, and such counterparts to be retained in the said Book, the leaves of which shall, previously to its being delivered to him by the Clerk of the Union, be numbered with consecutive numbers beginning with the number “one,” so that each Receipt and the Counterpart thereof shall be marked with a number differing from that of every other Receipt and Counterpart, and shall be initialed by the Clerk, and which duty the Clerk is hereby required to perform; and every Collector shall give receipts for Poor Rates from the Receipt Check Books, so numbered and initialed and delivered to him by the Clerk of the Union, and shall give no other receipts for Poor Rates whatever, on

^a p. 730. ^b Schedule of Accounts, p. 704 et seq. : Collectors' Accounts, No. 25-28, (p. 730-732.) ^c p. 730. ^d p. 731.

pain of dismissal from his Office, and prosecution for the penalties which he may incur by Statute for a breach of this regulation: and he shall issue such receipts in regular succession, and in the order of their respective numbers; and he shall return every such book from which all the receipts shall have been detached forthwith to the Clerk of the Union, and the Clerk shall be thereafter responsible for the custody of the same.

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*Accounts to
be kept by
Collector.*

3. *The Collector's Rate Receipt Abstract Book and Weekly Balance Sheet of Collector's Receipts and Lodgments^a*, in the Form 27 *a* of which Book he shall enter every sum received by him in payment of Poor Rate, together with a reference to the number of the tenement for which such sum has been received, as the same is numbered in the Rate Book and Collecting Book; and in the Form 27 *b* of which Book he shall balance the sums received by him in payment of Poor Rates, and the sums lodged by him with the Treasurer every week, and enter up the totals of such Receipts and Lodgments; and shall produce, when required for examination by the Clerk of the Union, a Receipt from the Treasurer of the Union, for each of such Lodgments, in the Form 28^b in the said Schedule.

Collector's
Rate Receipt
Abstract and
Weekly
Balance
Sheet.
Form 27 *a*
and 27 *b*.

Treasurer's
Receipt.
Form 28.

V.—ACCOUNTS TO BE KEPT BY THE MEDICAL OFFICER
OF THE WORKHOUSE.

The MEDICAL OFFICER of the WORKHOUSE shall enter up and accurately keep, according to the Forms and Directions given in this Order, and in the Schedule hereunto annexed^c, the following Books:—

V.—*Books
to be kept
by Medical
Officer of
Workhouse.*

1. *The Record of Sickness and Mortality* (Form 29^d); in which shall be inserted the name of every Pauper patient under his care, the name of the disease, and the date of the commencement and termination of the disease, and such other observations as the Medical Officer shall think fit to make.

Record of
Sickness and
Mortality.
Form 29.

2. *The Weekly Medical Return Book* (Form 30^e); in which shall be inserted the date of every attendance upon the Pauper patients in the Workhouse.

Weekly Re-
turn Book.
Form 30.

^a Forms 27 *a* & *b* (p. 731-2.) ^b p. 732. ^c Schedule of
Accounts, p. 704 *et seq.*: Workhouse Medical Officer's Accounts,
No. 29, 30 (p. 733.) ^d p. 733. ^e p. 733.

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VI.—*Ex-
amination
and Settle-
ment of Ac-
counts.*

VI.—EXAMINATION AND SETTLEMENT OF ACCOUNTS.

1. No bill or demand exceeding £1 against the Union shall be payable out of the Poor Rates, unless and until it shall have been allowed either by the Board of Guardians or by some Committee or person specially authorized by them for that purpose.

2. Every payment exceeding £3 shall be made by a check drawn upon the Treasurer of the Union, signed by the Chairman and two Guardians present at a Meeting of the Board, and countersigned by the Clerk.

3. All bills and demands shall be brought in within Seven days at furthest after the expiration of the Half-year in which they were incurred, and shall be forthwith examined and paid, and shall be included in the accounts of the Half-year.

4. If among the bills and demands against the Union there should be any which, from some unavoidable circumstance, could not be paid within the Half-year in which they were incurred, or within Seven days after the expiration thereof, the same shall nevertheless, after being allowed as above required in Art. 1, be included in the accounts of the Half-year by entry on the debit side of the Accounts to which they respectively belong, and shall be placed upon the credit side of the Unpaid Bills Account^a, which shall show the Amounts due and the Accounts to which they have been respectively debited; and such Bills shall, except when they relate to the Provisions Account, Clothing Account, or Burial Account, be apportioned on or charged against the Electoral Divisions according to their respective liabilities.

Treasurer's
weekly state-
ment of Ac-
count.

5. The Clerk to the Board of Guardians shall procure every week from the Treasurer of the Union, a statement of the sums of money and checks which the Treasurer shall have received and paid during the past week, and shall lay the same before the Board at their weekly Meeting; and the Chairman of the Board shall affix his signature to the said book or statement of the

Treasurer, when the accuracy thereof shall be ascertained.

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6. Every person whose bill or demand shall be paid or settled by check or otherwise, shall give a written receipt on a proper stamp (if the amount require a stamp) for the money or check received by him.

Examina-
tion and
Settlement
of Accounts.

7. The Board of Guardians, in the examination and passing of bills, shall refer to the counterparts in the "Order Check Book" of the Orders sanctioning the expenditure, and shall, if they think fit, require the party to whom the Order was issued to produce it.

8. Each paid Officer of the Union shall be entitled to receive his salary Quarterly.

VII.—AUDITING OF ACCOUNTS.

VII.—Au-
diting of
Accounts.

1. The Auditor appointed for the Union shall give to the Clerk to the Board of Guardians, to the Collectors, to the Treasurer of the Union, and to the Relieving Officers thereof, Six clear days' notice in writing of the day, hour, and place, on and at which he intends to audit the said Accounts^a.

2. In auditing the said Accounts, the Auditor shall see that they are presented in proper form, and that the particular items of receipt and expenditure are stated in detail, and are supported by adequate vouchers and authority; and shall ascertain that all sums have been received which ought to have been received, and have been brought into the account; and shall examine whether the expenditure in all cases is such as might be lawfully made, and is reasonable; and shall strike out such payments and charges as are not legal, and such as have not been made by competent authority, and shall reduce such charges as he shall deem to be exorbitant.

3. The Auditor shall also examine the several Books of Account, and other Books, not being Books of Account, in use in the Union, and shall ascertain whether they be kept in the prescribed

^a Notice thereupon to be posted up by the Clerk of the Union, § 1. art. 9 (p. 692).

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*Auditing of
Accounts.*

form, and that the several entries correspond with and balance each other (where such balance may be required), and that the number of Paupers relieved accord with the several entries of the amount and description of relief administered; and he shall certify the accuracy of such Books by affixing his signature to each, and the date of such audit.

4. The Auditor shall cast up and compute the said Accounts, so as to ascertain the accuracy thereof, and the balance or sum due to or from the Officer rendering the same at the time of audit; and the Auditor shall verify the same by his signature, and the date of such audit.

5. The Auditor shall receive the objections in writing of any Rate-payer in the Union to the said Accounts, or any item or charge therein, or any vouchers or authority for the same, and shall examine into the merits of such objections, and make a decision thereon.

6. The Auditor shall, whenever he may in the performance of the duties of his office think fit so to do, require any Officer rendering an account, or any other Officer of the Union, or any person represented to have supplied any goods or materials, or executed any work for the use of the Union, or any other person who, in the judgment of the Auditor, shall be able to give information of such account or supply, or execution of work, to appear before him, and to produce any accounts, books, or papers in his possession relating to the subject of his inquiries; and the Auditor shall, if he think fit so to do, require such Officer to verify such account on Oath, and shall, if he think fit, examine on Oath such Officers and persons respecting any item or charge in the accounts of the said Union: or he shall require them to subscribe a declaration of the truth of the matters respecting which they shall have been so examined, first forewarning them of the penalties in the said recited Act provided for parties giving false evidence, or refusing to give evidence under the provisions of the said recited Act^a. And any paid

^a 1 & 2 Vic. c. 56, § 13, (p. 10.)

Officer, who shall fail to comply with the requisition of the Auditor to appear before him, and to produce documents of which he may be in the possession, shall, on report thereof to us made, be liable to be dismissed from his office.

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*Auditing of
Accounts.*

7. If the Auditor be of opinion that any money, goods, or chattels, belonging to such Union, have been purloined, embezzled, or wilfully wasted or misapplied by any Officer or person accounting, he shall collect such evidence as he may think necessary to ascertain the amount or value of such money, goods, or chattels, and shall surcharge such Officer or person with such amount or value in his account, and shall submit a statement of particulars to the said Commissioners and to the Board of Guardians, in order that proceedings may be taken against any paid Officer so offending, under the provision in that behalf contained in the Irish Poor Relief Act^a.

8. And the Auditor shall examine and correct and sign the Abstracts of the Union and Electoral Division Accounts, hereinbefore required to be made, and report to us any facts or circumstances in explanation thereof or connected therewith, or which he may deem of importance to the interests of the Union^b.

^a 1 & 2 Vic. c. 56, § 101, (p. 79.)

^b See further duties of Auditor in regard to Officers' bonds; General Regulations, art. 40, (p. 624-5.)

SCHEDULE,—containing the Forms of Accounts.

FORM 1.—THE ORDER CHECK BOOK^a.

Folio in Minute Book.	No.	Mr.	18	No.	Mr.	18
	<i>Goods ordered, with the Price.</i>			Please supply for the use of the Union,		
	_____ <i>Chairman.</i>			_____ <i>Chairman.</i>		
	_____ <i>Clerk.</i>			_____ <i>Clerk.</i>		
	N.B.—This Counterpart is to be retained.			N.B.—This Order must be preserved by the party to whom it is issued, as no account will be passed unless it be produced.		

^a To be kept by Clerk of Union; I. 4 (p. 691).

FORM 2.—CHECK BOOK OF ADMISSIONS INTO THE WORKHOUSE.

No.....	No.....
To Admit	To the Master of the..... Union
.....	Workhouse at.....
.....	Admit.....aged..... Wife and..... Children,
Age.....	charged to the..... Electoral Division in this Union.
Elect ^d . Division.....	By the Board of Guardians, this..... day of..... 18 .
Date..... 18 .	Signed..... Chairman.
.....

FORM 3.—CHECK BOOK OF DISCHARGES FROM THE WORKHOUSE.

No.....	No.....
Discharge	To the Master of the..... Union
Elect. Division	Workhouse at.....
Date.....	Discharge.....aged..... Wife and..... Children,
18	charged to the.....Electoral Division in this Union.
Chairman.	By the Board of Guardians, this.....day of.....18
	Signed.....Chairman.

^a To be kept by Clerk; i. 5 (p. 691).

FORM 4 A.—

UNION.—ABSTRACT, showing the Number of the several Classes of Paupers

IN-DOOR.																					OUT																
Numbers of the several classes of Paupers in the Workhouse, not including classes 14, 15, and 16.																					No. of the several Classes c. 31,																
Able-bodied and their children.										Not Able-bodied.										Lunatics, Insane Persons, and Idiots.	Summary of the preceding Columns.	Collective Number of Days of Relief in the Workhouse for each Electoral Division.															
Adults.					Children under 15 or able-bodied inmates.					Adults.					Children under 15.					Adults.																	
Males.		Married couples.			Other males.			Other females.			Illegitimate children.					Other children.					Males.		Females.			Children under 15.					Males.		Females.			Total.	
Males.		Married couples.																			Males.		Females.								Of parents not able-bodied, being inmates.					Orphans or other children relieved without parents.	
Union at Large, .																					Total, .																

SUMMARY OF IN-DOOR PAUPERS RELIEVED.

Average Weekly Cost per Head.			Number of Paupers in the Workhouse at commencement of the Half-year.		Number of Births in the Half-year.		Number Admitted during the Half-year.		Number Discharged during the Half-year.		Number of Deaths in the Half-year.		Number of Paupers in the Workhouse at the end of the Half-year.	
Food and Necessaries, .	s.	d.												
Clothing, .														
Total, .														

SUMMARY OF OUT-DOOR PAUPERS RELIEVED

No. of Paupers on Out-door Relief at commencement of the Half-year.		No. admitted to Out-door Relief during the Half-year.		No. discharged from Out-door Relief during the Half-year		No. of Paupers on Out-door Relief at end of Half-year.	

a To be made up by Clerk half-yearly : 1. 8 (p. 692).

STATISTICAL STATEMENT^a.

Relieved, and the Number and Cost of Emigrants, during the Half-year ended —18—.

DOOR.																			
Relieved under 10 Vic. section 1.										Summary of the several Classes relieved out of the Work-house, under 10 Vic. c. 31, sec. 1.									
Adult women relieved in cases of sickness or accident.										No. of the several Classes Relieved under 10 Vic. c. 31, section 2.*									
Legitimate.										Summary of the several Classes relieved out of the Work-house, under 10 Vic. c. 31, sec. 2.									
Illegitimate.										Total Out-door being the sum of cols. (b) and (c).									
Able-bodied widows, having two or more legitimate children dependent on them.										Gross Total Relieved in and out of the Workhouse, being sum of cols. (a), (b), and (c).									
Children under 15, dependent on widows in col. 13.										Number and Cost of Persons Emigrating.									
Males.										Number.									
Females.										Cost.									
Children under 15.										£ s. d.									
Males.																			
Females.																			
Children under 15.																			
Males.																			
Females.																			
Total.																			
Adult males (married or single) relieved on account of want of work.																			
Wives.																			
Children under 15.																			
Unmarried.																			
Widows not entitled to relief under sec. 1.																			
Legitimate.																			
Illegitimate.																			
Wives.																			
Children under 15.																			
Wives.																			
Children under 15.																			
Wives.																			
Children under 15.																			
Orphans and children relieved without either parent.																			
Males.																			
Females.																			
Children under 15.																			
Total.																			

* This part of the Form will apply only to the cases relieved during the operation of an Order under Seal of the Commissioners for administering the Laws for Relief of the Poor in Ireland, under section 2 of the Irish Poor Relief Extension Act.

A true Abstract from the Relief Books, Medical Returns, and the Ledger of the — Union, on this — day of — 18—.

— Clerk to the Board of Guardians.

This Abstract has been submitted to me, together with the Relief Books, Medical Returns, and the Ledger, with which I have compared it, and I hereby certify that the items it contains are correctly abstracted therefrom.

— Union.

the — day of — 18—.

— Auditor.

Laid before the Board, this — day of —.

— Chairman.

NOTE.—This Abstract, when signed by the Auditor, is to be sent to the Commissioners for administering the Laws for Relief of the Poor in Ireland; and the Clerk is to make a duplicate, which shall also be attested by the Auditor, for the use of the Board of Guardians. A copy is to be furnished by the Clerk to every Member of the Board of Guardians.

FORM 4 Ba.

UNION.—NAMES and SALARIES of the Several OFFICERS;
and Statement of the Auditor, in reference to the Bonds of such of the
Officers as are required to give a Bond.

Name of each Paid Officer, including Assistants and Servants.	Office.	Salary per Annum, or rate of Remune- ration otherwise.	In whose Custody the Bond of each Officer is deposited.	Amount of Bond. £	Whether the Bond was produc- ed, and if not, the cause.	OBSERVATIONS.
	CHAPLAINS :— Protestant, R. Catholic, Presbyterian, Clerk, Assistant do. Master, Assistant do. Matron, Assistant do. Schoolmaster, Assistant do. Schoolmistress, Assistant do. Medical Officer, Assistant do. Porter, Nurse, Relieving Officers : 1 2 3 4 5 6 7 8 9 10 11 12 Rate Collectors : 1 2 3 4 5 6 7 8 9 10					
						Signature of Clerk ——— Signature of Auditor ——— Date ———

* To be made up by Clerk half-yearly : 1. 8 (p. 692).

PART II. 4.] *Clerk's Half-yearly Abstracts of Union Accounts.* 711

FINANCIAL STATEMENT^a

ended ————— 18—; showing the Receipts, Expenditure, and Balances.

DISCHARGE.

THE POOR LAW ACTS.

THE POOR LAW ACTS.		
£	s.	d.
Relief by way of Loan.		
£	s.	d.
Total on account of In-Maintenance and Out-door Relief, and Relief by way of Loan.		
£	s.	d.
Establishment Charges.		
£	s.	d.
Repayment of Loans, under Act 1 & 2 Vic., c. 56, § 36.		
£	s.	d.
Expenses of Valuing or Revising Valuations.		
£	s.	d.
Collectors' Poundage, or other Remuneration.		
£	s.	d.
Amount expended on Emigration.		
£	s.	d.
Amount of Emigration Loan Repaid, and Interest thereon.		
£	s.	d.
Burial Expenses.		
£	s.	d.
Elections, Law, and other Expenses.		
£	s.	d.
Total Expenditure for Relief to the Destitute Poor in the Half-year.		
£	s.	d.
Amount reserved on account of Rate in Aid.		
£	s.	d.
Amount Repaid under Loans and Annuities Act, 13 Vic., c. 14.		
£	s.	d.
Expenses under Medical Charities Act, 14 & 15 Vic., c. 68.		
£	s.	d.
Balances in favour of Electoral Divisions, at close of this Half-year.		
£	s.	d.
TOTAL.		
£	s.	d.

Liabilities of the Guardians at the end of the Half-year.

Due to Treasurer, . £

to Contractors,

to Officers,

to other Parties.

Total Liabilities, £

e The Amount of each head of Expenditure included in this Column is to be separately stated hereunder; namely,—

* *Note.*—Enumeration of Items in No. 3.

1. Elections, . . .

2. Law,

3. Other Expenses, (of which the Items are to be here enumerated in a Note,)* .

	£	s.	d.
.			
.			
}			
	£		

	£	s.	d.
£			

I hereby certify, that this Statement of Receipts and Payments of the several Electoral Divisions in the ——— Union, is correct.

Dated ——— day of ——— 18—.

Laid before the Board this — day of — 18—

— Auditor.

— Chairman.

* * Two copies of this Abstract, signed by the Chairman, are to be sent to the Commissioners for administering the Laws for the Relief of the Poor in Ireland; and a duplicate copy, signed by the Auditor, is to be kept for the Board of Guardians, and a copy delivered by the Clerk to every Member of the Board.

FORM 6.—REGISTRY of Persons Admitted into and Discharged from the Workhouse of the

(See 1st and 2nd Vict., Cap. 56, Sec. 42.)

PAGE 1.

1. No.	2. Names and Surnames of Paupers.	3. Sex.	4. Age.	5. If adult, whether single, married, widower, or widow; if child, whether orphan, deserted, or bastard.	6. Employment or Calling.	7. Religious denomination.	8. If disabled, the description of disability.	9. Name of Wife or Husband.	10. No. of Children.	11. Observations on condition of Pauper when admitted.	12. Electoral Division & Town-land in which resident.	13. Date when admitted, or when born in the Workhouse.	14. Date when died or left the Workhouse.
1													
2													
3													
4													
5													
6													
7													
8													
9													
10													

^a To be kept by Master, § 42 of 2 Vic., c. 56, and Accounts Order, II. 1 (p. 693-4). For Register of Persons relieved out of the Workhouse, to be kept by Clerks, see Form 19, p. 721.

Union Workhouse^a.

FORM 8.—RECORD OF BIRTHS in

No. in Register.	Date of Birth.	Whether Male or Female.	Names of Parents.	Religious denomination of Parents.	To what Electoral Division chargeable.	Whether Legitimate or Illegitimate.	When Baptized.	In what Name Baptized.	By whom Baptized.

Union Workhouse^b.

FORM 9.—RECORD OF DEATHS in

No. in Register.	Date of Death.	Cause of Death.	Name.	Age.	To what Electoral Division chargeable.	Date of last Admission to Workhouse.

^a To be kept by Workhouse Master: II. 3, (p. 694.)^b Ibid: II. 4, (p. 694.)

Number in Regis- ter.	Name and Surname of Pauper.	Number of Days in the House in each Week.																										Total for the Half- year.	
		1st Week.	2nd Week.	3rd Week.	4th Week.	5th Week.	6th Week.	7th Week.	8th Week.	9th Week.	10th Week.	11th Week.	12th Week.	13th Week.	14th Week.	15th Week.	16th Week.	17th Week.	18th Week.	19th Week.	20th Week.	21st Week.	22nd Week.	23rd Week.	24th Week.	25th Week.	26th Week.		27th Week.

FORM 10 b.

ABSTRACT of the Weekly Relief Lists, for the Half-year ending

18 a.

Folio of the Electoral Division List.	Electoral Divisions.	Number of Days each Week.																											Total Days for the Half-year.
		1st Week.	2nd Week.	3rd Week.	4th Week.	5th Week.	6th Week.	7th Week.	8th Week.	9th Week.	10th Week.	11th Week.	12th Week.	13th Week.	14th Week.	15th Week.	16th Week.	17th Week.	18th Week.	19th Week.	20th Week.	21st Week.	22nd Week.	23rd Week.	24th Week.	25th Week.	26th Week.	27th Week.	
	Total Days for each Week*																												
	Folio in Provision Book																												

A few sheets of the *Abstract* (according to the extent of the Union) are to be bound up at the end of the Book formed of the Electoral Division List, Form 10 a.
The aggregate number of days in each week passed in the Workhouse by the Paupers of each Electoral Division, must be taken from the Columns of Total Days for the several weeks in the Electoral Division Lists.
* The *total* number of days for each week in this Abstract, must agree with the *collective* number of days of the corresponding week in the Provision Check Book, Form 11.

* To be made up by Workhouse Master : II. 5, (p. 695.)

FORM 15.
CLOTHING APPROPRIATION BOOK.

Day of the Week and Date.	Bedding.	Names of Paupers to whom Clothing is furnished.	Men's Clothing.	Women's Clothing.	Boys' Clothing.	Girls' Clothing.
	Sheets. Blankets. Rugs.		Coats. Waistcoats. Trowsers. Shirts. Shoes. Stockings. Hats. Handkerchiefs.	Gowns. Petticoats. Shifts. Aprons. Handkerchiefs. Shoes. Stockings. Caps. Bonnets.	Coats. Waistcoats. Trowsers. Shirts. Shoes. Stockings. Hats. Handkerchiefs.	Frocks. Petticoats. Shifts. Aprons. Shoes. Stockings. Handkerchiefs. Bonnets.

FORM 16.
THE INVENTORY BOOK^b.

{OFFICES, distinguishing, 1, Laundry;
2, Work Rooms; 3, Yard; 4, Garden, &c.

Fixtures.	Furniture.	Utensils.	Other Effects.	Observations.

Fixtures.	Furniture.	Utensils.	Other Effects.	Observations.

To be kept by Workhouse Master: n. 10, (p. 695.)

^b Ibid.; II, 11, (p. 696.)

FORM 17.—WORKHOUSE FARM ACCOUNT^a.

Dr.				Cr.		
	£	s.	d.	£	s.	d.
18 To Value of Stock on hand at commencement of the Half-year, - - - - -				18		
Balance (Profit), - - - - -				By Value of Stock at close of Half-year, - - - - -		
Total, - - - - -				Total, - - - - -		

FORM 18.—WORKHOUSE MANUFACTURE ACCOUNT^b.

Dr.				Cr.		
	£	s.	d.	£	s.	d.
18 To Value of Stock on hand at commencement of the Half-year, - - - - -				18		
Balance (Profit) at close of Half-year, - - - - -				By Value of Stock at close of Half-year, - - - - -		
Total, - - - - -				Total, - - - - -		

NOTE.—The foregoing Accounts (Forms 17 and 18), are subsidiary Accounts, intended to show the profit, if any, derived from the labour of the Paupers,—the debits and credits already appearing in the other Accounts to which they may respectively belong :—Thus, in Farm Account^c, the Cost of Seed, Implements, and Stock, purchased, will have been debited to Establishment Account,—the value of produce consumed in the Workhouse will be each Week entered in the Provision Account, and at the end of the half-year, the total amount will be directly debited to Invoice Account, and credited to Maintenance Account, being the difference between the amounts shown by the Provision and the Invoice Account ; and the Establishment Account will be credited only with the sums received from the sale of any Produce, Manure, &c.—Likewise, as regards the Manufacture Account, the Establishment Account will have been debited with all Implements purchased, and credited with sums received for Articles sold :—Clothing Account will have been debited with the cost of the raw material purchased, but will not receive any direct credit ; the Electoral Division will, however, derive the benefit of the labour of the Paupers in having manufactured goods at the cost only of the raw materials in proportion to the daily number of its Paupers ; and each Electoral Division will be benefited in a similar proportion by the Farm produce credited to Maintenance Account.

^a To be kept by Workhouse Master: II. 13, (p. 696.) ^b Ibid : II. 14, (p. 696.) ^c See Circular as to Workhouse Farm Account, (p. 737.)

FORM 19.—THE OUT-DOOR RELIEF REGISTER^a.

Register of Persons Relieved out of the Union Workhouse :—under the Act 10 Vict., cap. 31, sec. 11.

1. No.	2. Date when first relieved.	3. Name and Surname.	4. Sex.	5. Age.	6. Employment or Calling.	7. Married or Single.	8. Name of Wife or Husband.	9. No. of Children.	10. Date of Applica- tion for Relief.	11. Electoral Division in which resident at the time of beginning to receive Relief.	12. Townland in which resident at the time of beginning to receive Relief.
1											
2											
3											
4											
5											
6											

THE OUT-DOOR RELIEF REGISTER BOOK is to contain the following particulars touching every Person relieved out of the Workhouse, arranged in the following order :—

1. The number of the person's name.
2. The date when first relieved.
3. The name and surname.
4. The sex.
5. The age.
6. The employment or calling.

7. Whether married or single.
8. Name of the wife, or husband.
9. Number of children.
10. Date of application for relief.
11. The electoral division in which resident at the time of beginning to receive relief.
12. The townland in which resident at the time of beginning to receive relief.

^a To be kept by Clerk : i. 6 (p. 691) :—for Register of Persons relieved in the Workhouse, to be kept by Master, see Form 6, p. 712.

FORM 20.—APPLICATION AND REPORT BOOK^a.

[illegible]

In this book the Relieving Officer is to enter the applications from time to time made for relief, and all the information regarding each case required by the form; and these particulars having been submitted to the Board of Guardians, the decision of the Board in every case will be inserted, and any relief thereafter to be given must be authorized by the signature or initials of the Chairman, and afterwards be attested by the signature or initials of the Clerk. An alphabetical index is annexed to each book, which must be regularly kept up by the Relieving Officer.

INSTRUCTIONS TO FILL UP THE APPLICATION AND REPORT BOOK.

1. Every person applying for relief on his own account, or on whose account application is made for relief, must be entered in the order of the time of application ; and the cases are to be numbered in succession.
2. The wife, and children under 15, of a person on whose account relief is applied for, form part of his case, and are not to be numbered as separate cases.
3. But children above the age of 15 must be entered and numbered as separate cases, for if they require relief they will be relieved on their own account, and not on the account of the head of the family.

UNION.

DISTRICT.

[illegible]

4. If a person be relieved, and then, having ceased to be relieved for some time, applies again, the case should be entered and numbered again, and a reference made to the former number.

5. In specifying the causes of the applications for relief of children who become chargeable from the neglect or inability of their parents to provide for them, specify the nature of the inability or other cause; as "deserted by father;" "deserted by mother;" "deserted by father and mother;" "father absent from home;" "father imprisoned," &c.

6. In cases arising from infirmity of mind or body, designate the nature and extent of the infirmity; as in the case of "lunatics," or "idiots," or "deaf and dumb," or "crippled," or "helpless from old age."

7. The information regarding previous residence must be obtained and stated with great care; as upon such facts will depend the registration of residence and the account to which the relief given will be charged.

8. The columns relating to chargeability are not to be filled up until the register has been signed.

— *Relieving Officer.*

[illegible]

3. Every person receiving relief on his own account will be entered by name in the relief list, and will be represented by the figure (1) in that column of the statistical portion to which his case belongs; and the same person is on no account to be entered more than once in the same half-year.

4. In the case of families, the name of the head of the family only is to be entered in the relief list; and in the statistical portion the head of the family will be represented by the figure (1) in the column to which his case belongs; his wife, if he has one, by the same figure in the next column; and the number of the children under 15 must be entered in the column provided for that purpose.

5. The totals at foot of the statistical portion, at the end of each half-year, are to be carried by the Clerk into the half-yearly abstract of persons relieved.

6. Whatever be the day of weekly meeting of the Guardians, it is intended that each week in the half-year should end on Saturday, except the last week in the half-year, which must always close with the 25th March or 29th September, as the case may be. It may therefore happen that the first or last week of the half-year, or even both (as in the specimen form), will contain a less number of days than 7, and thus the number of weeks in the half-year will extend to 27 or 28.

FORM 22.—THE RELIEVING OFFICER'S

_____ UNION. _____ DISTRICT. _____ Week of the
_____ Relieving Officer in Account with _____

[illegible]

Summary of Receipts and Expenditure

(To be entered immediately after the Account for the last Week of

<i>Dr.</i>			Money.			Kind.		
			<i>£</i>	<i>s.</i>	<i>d.</i>	<i>£</i>	<i>s.</i>	<i>d.</i>
Balance brought forward,	.	.						
As per Receipt and Expenditure Book, 1st Week,	.	.						
" 2nd	"	.						
" 3rd	"	.						
" 4th	"	.						
" 5th	"	.						
" 6th	"	.						
" 7th	"	.						
" 8th	"	.						
" 9th	"	.						
" 10th	"	.						
" 11th	"	.						
" 12th	"	.						
" 13th	"	.						
" 14th	"	.						
" 15th	"	.						
" 16th	"	.						
" 17th	"	.						
" 18th	"	.						
" 19th	"	.						
" 20th	"	.						
" 21st	"	.						
" 22nd	"	.						
" 23rd	"	.						
" 24th	"	.						
" 25th	"	.						
" 26th	"	.						
"	"	.						
"	"	.						
			(A)			(B)		

The Totals marked (A) and (B) respectively must correspond.

Instructions.

In this Book the Relieving Officer will debit himself, on the Charge side, with

- In this Book the Relieving Officer will debit himself, on the Charge side, with
1. All Moneys received since the last Account from the Board of Guardians; and these entries must correspond with the counterparts of the Cheques issued to him by the Board, and with entries in Guardians' Minutes.
 2. The Money Value of Tickets for Provisions (if such be used) which have been issued to him since last Account; and these entries must correspond with those in Minutes of the Guardians.
 3. The Money Value of Orders made by the Board of Guardians on Contractors for Provisions in favour of Relieving Officer; and these entries must correspond with the counterparts of the Orders and the Guardians' Minutes.

■ To be kept by Relieving Officer; III, 3 (p. 697).

FORM 29.
RECORD OF SICKNESS AND MORTALITY.^a

No. in Register.	Name of Patient.	Age.	Name of Disease.	Day of Commencement.	Treatment.	Day of Termination.	Event.	Observations.

FORM 30.
WEEKLY MEDICAL RETURN BOOK^b.

No. in Register.	Name of Patient.	Age.	Name of Disease.	Days when attended.							Change of Diet prescribed.	Observations.
				Sunday.	Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	Saturday.		

^a To be kept by Medical Officer of Workhouse : v. 1, (p. 699).

^b Ibid : v. 2 (p. 699).

LIST, containing NAMES of UNIONS to which this Order refers^a.

Abbeyleix	Castlebar	Dungannon	Limerick	Oldcastle
Antrim	Castleblayney	Dungarvan	Lisburn	Omagh
Ardee	Castlecómer	Dunmanway	Lismore	Oughterard
Armagh	Castlederg	Dunshaughlin	Lisnaskea	Parsonstown
Athlone	Castlereagh	Edenderry	Listowel	Portumna
Athy	Castletown	Ennis	Londonderry	Rathdown
Bailieborough	Castletowndel-	Enniscorthy	Longford	Rathdrum
Ballina	vin	Enniskillen	Loughrea	Rathkeale
Ballinasloe	Cavan	Ennistymon	Lowtherstown	Rosecommon
Ballinrobe	Celbridge	Fermoy	Lurgan	Roserea
Ballycastle	Claremorris	Galway	Maerom	Scariff
Ballymahon	Clifden	Glennamaddy	Magherafelt	Shillelagh
Ballymena	Clogheen	Glenties	Mallow	Skebbereen
Ballymoney	Clogher	Glin	Manorhamilton	Skull
Ballyshannon	Clonakilty	Gorey	Midleton	Sligo
Ballyvaghan	Clones	Gort	Milford	Strabane
Balrothery	Clonmel	Gortin	Millstreet	Stranorlar
Baltinglass	Coleraine	Granard	Mitchelstown	Strokestown
Banbridge	Cookstown	Inishowen	Mohill	Swineford
Bandon	Cootehill	Kanturk	Monaghan	Thomastown
Bantry	Cork	Kells	Mount Bellew	Thurles
Bawnboy	Corrofin	Kenmare	Mountmellick	Tipperary
Belfast	Croom	Kilkeel	Mullingar	Tobercurry
Belmullet	Dingle	Kilkenny	Naas	Tralee
Borrisokane	Donaghmore	Killadysert	Navan	Trim
Boyle	Donegal	Killala	Nenagh	Tuam
Caherciveen	Downpatrick	Killarney	Newcastle	Tulla
Callan	Drogheda	KilmacThomas	Newport	Tullamore
Carlow	Dromore, West	Kilmallock	New Ross	Ulingford
Carriackmacross	Dublin, North	Kilrush	Newry	Waterford
Carriack-on-Shannon	Dublin, South	Kinsale	Newtownards	Westport
Carriack-on-Suir	Dundalk	Larne	Newtownlimavady	Wexford
Cashel	Dunfanaghy	Letterkenny		Youghal

Sealed with our Seal, this Eighth Day of April,
in the Year of Our Lord One Thousand
Eight Hundred and Fifty-Three.

(L. S.)

(Signed)

A. POWER.

E. SENIOR.

J. M'DONNELL, M.D.

ST. GERMAN'S.

I, EDWARD GRANVILLE, EARL OF ST. GERMAN'S, Lord
Lieutenant-General and General Governor of Ireland, do
hereby approve this Order.

By His Excellency's Command,

THOS. A. LARCOM.

^a Page 689. The Order applies to all the Unions in Ireland.

ACCOUNTS.

CIRCULAR TO CLERKS OF UNIONS, ACCOMPANYING THE CIRCULARS.
FOREGOING GENERAL ORDER FOR REGULATING UNION Accounts.
ACCOUNTS.

POOR LAW COMMISSION OFFICE, DUBLIN,
8th April, 1853.

SIR,

In transmitting the amended Order for the keeping and auditing of Union Accounts, the Commissioners for administering the Laws for Relief of the Poor in Ireland desire me to draw the attention of the Guardians, and likewise the attention of yourself, as the Officer mainly responsible for the keeping of the Union Accounts, to the provisions of the present Order, which differ in some respects from those of the Order previously existing, although much care has been taken in the introduction of necessary amendments, to disturb as little as possible the existing Forms, and the present mode of conducting the Accounts.

You will observe that the heads of account in the Union Ledger are somewhat increased in number, and arranged in a somewhat different order; and the Commissioners request that you will adopt the new arrangement of the headings in posting the Accounts for the current half-year, which has just commenced.

The Personal Ledger, which is a new form of book, merely subsidiary to the other books, has been already adopted voluntarily in many Unions on account of its great convenience and utility as affording facilities for reference and for checking the correctness of the other books, and the Commissioners have therefore now given directions for its general adoption.

Those provisions in the previous Order of Accounts which require the Clerk from time to time to examine and certify the correctness of the accounts of certain subordinate officers, are included under the head of Duties of the Clerk, in the

CIRCULARS.

Accounts.

General Regulations Order of the 19th January, 1852^a, and are therefore excluded from the present Order of Accounts.

Two new and additional Accounts, to be kept by the Master of the Workhouse, called "The Workhouse Farm Account^b;" and the "Workhouse Manufacture Account^b" will require from you the same examination and authentication, from time to time, as the other Accounts of the Master of the Workhouse^c.

Under the head of "*Examination and Settlement of Accounts*^d," you will find in paragraphs 3 and 4, an important change introduced, the object of which is to secure a precise statement of the expenses incurred in each half-year, whether the demands upon the Union for those expenses have been settled or remain outstanding. Hitherto this has been the case only with regard to provisions, necessaries, and clothing, for consumption of which the Electoral Divisions have been charged in the Accounts of the half-year, while unpaid salaries and other establishment charges were required by the previous Order to be excluded from the half-year's Accounts, unless paid within seven days from the end thereof.

By the present Order the charge for provisions, necessaries, clothing, &c., will be made as heretofore, according to the consumption of the various articles within the half-year, and all salaries and other establishment charges incurred in the same period, will be included in the half-year's expenses, whether they may or may not have been paid within seven days from its expiration.

In some Unions the practice has prevailed, with the sanction of the Commissioners, of charging for the expenditure of clothing by a charge of $\frac{1}{2}d.$ per day for each inmate during his or her residence in the Workhouse. After many years experience of this plan, the Commissioners are now disposed to

^a Article 47, (p. 626).

^b Forms 17, 18, (p. 720).

^c Further Instructions, as to the Mode of Crediting the Produce of the Workhouse Farm; Circular of 3rd April, 1854, p. 737.

^d VI. (p. 700).

adopt as a more exact and more strictly regular way of charging such expenditure, the simple method of ascertaining, by comparison of stock at the beginning and close of the half-year, (taking the additional stock obtained into account,) the cost of the total consumption of clothing during the half-year, and debiting each Electoral Division with its right proportion thereof, according to the collective number of days during which the inmates for whom it is chargeable have been resident in the Workhouse; and they request therefore that in future you will adopt this course, instead of the usual mode of estimate. Clothing still in use will be taken into account as part of the existing stock.

The Commissioners will readily address themselves to any inquiries which the Board of Guardians, or which you, as Clerk of the Union, may find occasion to make, regarding the working of any part of the new Order.

By Order of the Commissioners,

W. STANLEY, *Secretary.*

To the Clerk of each Union.

MODE OF CREDITING THE PRODUCE OF THE WORKHOUSE FARM IN UNION ACCOUNTS :—CIRCULAR TO BOARDS OF GUARDIANS THEREON.

POOR LAW COMMISSION OFFICE, DUBLIN,
3rd April, 1854.

SIR,

The Commissioners for administering the Laws for Relief of the Poor in Ireland have recently had their attention directed to the mode of Crediting the Produce of the Workhouse Farm to the several Electoral Divisions of the Union, as explained in the memorandum at the foot of the Workhouse Farm Account, in the General Accounts' Order^a; and it has been urged that the Produce should be apportioned in the same manner as the Establishment Expenses of the Farm, and Credited so that the Electoral Divisions which have contributed

CIRCULARS. the largest amount of capital should receive a corresponding benefit in return.

Accounts.

This proposal has, however, appeared to the Commissioners to be fraught with injustice to the Electoral Divisions chargeable with the largest proportion of Paupers, and the Commissioners deem it right therefore to state, for the information of the Board of Guardians, the considerations by which they were influenced in framing the existing Order applicable to this subject.

By Crediting the produce of the Farm to Establishment, and consequently apportioning the Credit to the several Electoral Divisions according to net annual value, the cost of the Maintenance of the paupers employed in cultivating the Farm would be left wholly out of consideration; and thus Electoral Divisions having a small proportion of paupers would receive an undue share of the profits of such cultivation at the expense of Electoral Divisions charged with the maintenance of a large proportion of paupers; unless, as rarely happens, the number of paupers charged to the Electoral Division bears the same proportion to the total number, as the Valuation of the Electoral Division bears to the total Valuation.

It was to correct this injustice, that the Commissioners altered the system in the way laid down in the recent Accounts' Order; and in doing this, the Commissioners have proceeded upon the assumption, that the produce of the farm is, as it ought to be, mainly the result of pauper labour, and that the Establishment expenses of the Farm are limited to the necessary cost of superintendence, and the outlay for implements, seeds, &c.

At the same time, the Commissioners have allowed that Credit should be given to Establishment for the price of any produce sold; and this was done mainly for the purpose of indemnifying Electoral Divisions which might have very few paupers and yet be charged with their proportion of salaries, implements, seeds, &c., in the Establishment Account. The Commissioners think that such indemnification should in every case be carried to the full extent of the charges incidental

to the cultivation of the Farm, which have been debited to Establishment, and no farther; and that the residue of the proceeds should go in reduction of the expense of maintaining the paupers.

By Order of the Commissioners,

W. STANLEY, *Secretary.*

To the Clerk of each Union.

EXTRACT FROM CIRCULAR LETTER TRANSMITTED BY THE COMMISSIONERS TO CLERKS OF UNIONS; DATED 25TH SEPTEMBER 1843.

CIRCULARS.
Accounts.
Instructions to Clerks.

Sections 14, 15, 16, 17, and 18 of the recent Statute^a amending the Irish Poor Relief Act, may lead to certain items of Expenditure by the Guardians, which had not been previously provided for; and the Commissioners deem it right, therefore, to inform you of the proper mode of charging such Expenditure in the Accounts, in order that uniformity may be obtained in this respect throughout the several Unions in Ireland.

1.—The maintenance of any Deaf and Dumb or Blind Child, who may be sent by the Guardians to any Institution for the maintenance of the Deaf and Dumb or Blind, will be properly charged to the Maintenance Account of the Electoral Division, or to that of the Union at large, as the case may be, precisely as it would be charged if the person were maintained as an inmate of the Workhouse: and in these cases the Commissioners think it will be convenient, that the Order of the Guardians should always be preceded by admission to the Workhouse and registration in the Register of Paupers in the usual way.

2.—The cost of Conveyance of any destitute poor person from the Workhouse of the Union to any Fever Hospital or Lunatic Asylum, and the cost of maintaining any such destitute poor person in such Fever Hospital, will be charged also to the Electoral Division, or to the Union, in accordance with the entry on the Register; and in these cases

^a 6 & 7 Vic. c. 92, § 14-18, (p. 120-122).

CIRCULARS.

Accounts.

it is clearly contemplated by the Act, that the persons to be removed should be previously inmates of the Workhouse.

3.—The cost of hiring or renting any houses which may be taken by the Guardians, for the reception or medical treatment of poor persons afflicted with Fever or other contagious disease, will be properly charged to the Establishment Account ; but the maintenance and relief of such persons therein, will be charged in the same manner as if the relief were afforded in the Workhouse ; and any house or houses so hired or rented should be deemed in this respect as part and parcel of the Workhouse establishment of the Union, and the persons admitted to be maintained therein should be entered on the General Register, in the same manner as the other inmates of the Establishment.

4.—The expense incurred in apprehending and prosecuting any person guilty of any offence against the Act 1 & 2 Vic. c. 56, will be properly debited to the Union at large, inasmuch as the advantage derived from the prosecution by way of example and prevention, is for the benefit of the Union at large, rather than of any particular Electoral Division.

EXPLANATION OF THE PROPER MODE OF CHARGING
VARIOUS ITEMS OF EXPENDITURE IN THE UNION
ACCOUNTS.

POOR LAW COMMISSION OFFICE, DUBLIN,
25th March, 1844.

It will be convenient to give this Explanation in reference to the several heads of Expenditure, in Abstract 5 *b*^a, in the order in which the several headings are placed.

L Maintenance and Clothing.

The articles to be included under this head are,

L.—All articles of Food, such as

Oatmeal,	Milk,	Tea,	Wine,	} (for the Sick) ;
Bread,	Buttermilk,	Sugar,	Spirits,	
Potatoes,	Pepper,	Butter,	Rice,	
Meat,	Salt,	Coffee,	Flour, &c.	

and if any articles are consumed which are not enumerated in the printed form of Weekly Account of Consumption^a, such articles and their cost must be added by the Master in making up the Account, so as to give the whole cost of all articles consumed under this head during the week.

2.—All other articles the consumption of which is incidental to the maintenance of Paupers, such as

Coals,		Soap,		Soda:
Candles,		Turf,		

and if any articles of this nature are consumed which are not enumerated in the printed form under the head of "Necessaries^a," such articles and their cost must be added by the Master in making up the Weekly Account.

The cost of what is actually consumed only is to be debited to Maintenance Account, (see Order of Accounts, § II. art. 6 ; and § I. art. 2.)

At the end of the Half-year, and previous to the apportionment amongst the Electoral Divisions, the Maintenance Account must be credited, and the Establishment Account debited, with the cost of the Officers' Rations for the Half-year ; and also with the cost of such portion of the Coals, Turf, and Candles as are consumed for the use of the Guardians of the Union in their Board-room, or for the use of the Officers of the Union in the Workhouse.

The manner of estimating the amount of the Officers' Rations, and the proportion of Fuel, &c., to be charged to Establishment, is pointed out below in Article II.

3.—CLOTHING will properly include

All articles of Clothing worn by the inmates, and
All articles of Bedding for the use of the inmates,
such as

Bedticks,		Sheets,		Coverlets,
Bolsters,		Blankets,		Straw.

An estimate of the cost of wear and tear of Clothing, Bedding, &c., may be made by charging a sum certain per day for each Pauper^b. The total

^a Form 12, (p. 717.)

^b This mode of ascertaining the cost of clothing to be charged, is superseded by instructions on the subject in the Circular of 8th April, 1853, relating to the amended accounts order ; see p. 736-7.

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Accounts.

thus charged is to be credited to the Clothing and Bedding Account, and debited to the several Electoral Divisions, each according to the collective number of days its own Paupers have been in the Workhouse, as shown by the Relief List Abstract.

Each Electoral Division will be charged with its proportion of the cost of Maintenance and Clothing for Union-at-large Paupers, calculated according to the net annual value of each Division.

4.—The Electoral Divisions will be separately charged also under this head, with several items of expenditure arising under 6 and 7 Vic. c. 92 : (see Letter of 25th Sept. 1843.*)

II. *Establishment Charges.*

The Items to be included under this head will be—

Rent of Site or Buildings,
Repairs and Insurance,
Salaries of Officers employed in keeping the Accounts, and in the management of the Establishment or care of the inmates,
Rations of Officers,
Proportion of Fuel and Candles consumed for the use of the Guardians and Officers,
Medicines & Appliances,
Books of Account or Reference,
Printing and Stationery,

Postage,
Advertising,
School Requisites,
Sweeping Chimneys,
Garden Seeds, or cost of cropping Workhouse site,
Lime for Whitewashing,
Brushes and Brooms,
Mops,
Flannels, or other Articles used in cleaning,
Black Lead,
Tubs, Buckets, Baskets,
Nets or Twine,
Tins and Spoons,
Spades, Hammers, Nails,
Wheelbarrows,

and all other utensils and implements required for use in the House or Offices.

Each Electoral Division will be charged with its proportion hereof, according to the net annual value of the rateable property of the Division.

The actual cost of the Rations of the Officers will be easily calculated at the end of each Half-year, from the quantity of each description of food allowed, and its cost. The cost of the Fuel, &c., consumed by the Guardians and Officers, may be

derived either from an estimate made by the Clerk, or from an actual account to be kept by the Master of the Workhouse, as the Guardians shall direct. The total of each of these amounts should be credited to Maintenance, and debited to Establishment, previously to the apportionment among the Electoral Divisions as before directed in Article I.

CIRCULARS.
Accounts.

III. *Proportion of Repayment of Workhouse Loans :*

IV. *Proportion of Vaccination Expenses.*

These will be charged to the several Electoral Divisions according to net annual value.

V. *Expense of Valuing or Revising Valuations.*

This will be charged either to particular Electoral Divisions, or to the whole Union, according as the service performed relates to particular Electoral Divisions, or to the whole Union.

VI. *Collectors' Poundage or other Remuneration*

Will be charged to the Electoral Divisions in respect of which the service is rendered.

VII. VIII. *Emigration.*

These Expenses are chargeable to the several Electoral Divisions in respect of which the charge has been incurred ; but if incurred in respect of the Union at large, then to the several Electoral Divisions according to net annual value.

IX. *Funerals, Election, Law, and other Expenses.*

Funerals are chargeable to the Electoral Division to which the deceased Paupers respectively belonged, or to the Union, if the Pauper at the time of his decease was so charged.

Election Expenses :—of these, a part will be apportioned to each Electoral Division, according to the net annual value^a ; and a part to the Electoral Divisions in respect of which the expense has been incurred^b as in case of contested Elections.

^a See article 39 of Election Order of 26th January, 1852.

^b See article 40 of Election Order of 26th January, 1852.

CIRCULARS.
Accounts.

Law Expenses will be chargeable to the Electoral Divisions separately, or as a charge common to the Union, or a portion of the Union, as the case may be.

By Order, &c.

INSURANCE OF BUILDINGS, ETC.—INSTRUCTIONS FROM THE COMMISSIONERS TO CLERKS OF UNIONS FOR HALF-YEARLY RETURNS OF PARTICULARS OF INSURANCES.

POOR LAW COMMISSION OFFICE, DUBLIN,
19th March, 1849.

The Commissioners request that you will furnish them, half-yearly, with a statement in the accompanying Form^a, showing the particulars of the Insurance on the Workhouse Buildings, Auxiliary Workhouses, and Fever Hospital or Hospitals in the Union, and also on the goods therein^b.

If the accounts of the Union be audited soon after the expiration of the half-years ending the 25th March and 29th September in each year, you should supply this information in the Form provided for this purpose on the back of Abstract 5 A B^c; but if the audit be delayed beyond the usual time, say six weeks or two months, you will then forward this statement separately.

By Order, &c.

To the Clerk of each Union.

^a Page 745.

^b The Guardians should make application to the landlords of the Temporary or Auxiliary Workhouses, if any be hired for the Union, to have them insured, and should themselves effect insurances on the Union property in those buildings.

Where Fever Hospitals have been separately erected on the Workhouse site, if such Hospitals are not specifically included in the Policy of insurance of the Workhouse premises, a separate insurance should be effected or a new Policy be obtained for that object.

If the consent of the Insurance Company for the manufacture of Flax and Wool in the Workhouse, or the use of stoves, gas, &c., has not been already obtained, and permission endorsed on the Policy, it should be applied for.

Where any insurance is effected by the Guardians on any Dispensary or property therein, a return of it should be made.

^c P. 709-711.

FORM OF HALF-YEARLY RETURN OF INSURANCE OF UNION PROPERTY TO BE TRANSMITTED WITH THE HALF-YEARLY
ABSTRACTS OF UNION ACCOUNTS.

— UNION.—INSURANCE RETURN.

Periods of Annual Payments.	Date of last Payment.	Name of Office in which Insurance is effected.	Name of Building.	Amount Insured on Buildings, Furniture, &c.				Premium.		Date of existing Policy.	Period for which Insurance is in force.	Date on which the Policy expires.
				Permanent Buildings.	Auxiliary Workhouses and Temporary Buildings.	Goods.	Total Insured.	Rate per Cent.	Annual Amount.			
									£ s. d.			

1.—If the preparation or dressing of Flax or Wool has been adopted in the Workhouse, state whether the circumstance has been communicated to the Agent, and whether his consent to the manufacture has been endorsed on the Policy.

Date of such endorsement, _____.

2.—If Gas Lights, a Stove or Stoves have been introduced, or any alteration made in the Workhouse calculated to vitiate the Policy, state whether the circumstance has been communicated to the Agent, and whether his consent to the change has been endorsed on the Policy.

Date of such endorsement, _____.

3.—Name of the party in whose custody the Policy of Insurance is.

Auditor.

Clerk of Union.

Date _____ 185 .

THE AUDITOR is requested to compare this Statement with the payment for premium of Insurance in the Treasurer's Account; and to see that the Policy of Insurance is renewed at the proper periods for that purpose.

CIRCULARS.

ACCOUNTS
of Persons
relieved.

FORMS OF BOOKS, &c.,

TO BE KEPT UNDER

SECTIONS 24 & 25 OF 12 & 13 VIC., C. 104, FOR
NAMES, &c., OF PERSONS RELIEVED.

EXTRACT FROM CIRCULAR OF THE COMMISSIONERS TO
BOARDS OF GUARDIANS ; DATED 24 AUGUST, 1849.

Provisions of
12 & 13 Vic.
c. 104.
Notification
of Persons
Relieved.

The 24th Section of the new Act^a requires that the Guardians of each Union should cause books containing the Names of the persons relieved out of the Workhouse, arranged under the heads of the Townlands on which they are stated to have last resided, to be kept for the several Electoral Divisions and the Union at large ; and such books are to be open to the inspection of Ratepayers from ten to four o'clock on one day at least in each week.

Section 25^b requires that a statement should be prepared and posted on the door of the Workhouse, on every Saturday, showing the Number of persons relieved in the Union during the seven days *next* preceding, either in or out of the Workhouse, and the Numbers chargeable against the respective Electoral Divisions, and the Union at large.

It will rest with the Guardians to determine the day in each week on which the list of persons receiving relief will be open for inspection at the Workhouse.

EXTRACT FROM FURTHER CIRCULAR OF COMMISSIONERS,
AS TO FORMS OF BOOKS, &c., FOR NAMES, &c., OF
PERSONS RELIEVED ; DATED 14 SEPTEMBER, 1849.

Books for
particulars
of Persons
Relieved ;
Publicity.

The Commissioners have caused Forms of Books for entering the names of persons relieved and charged upon the several Electoral Divisions and the Union at large respectively, in pursuance of Section 24 of 12 & 13 Vic. c. 104^a, to be prepared, and such Books should be immediately procured in the usual manner.

A separate Book is required to be kept for each

^a 12 & 13 Vic. c. 104, § 24 (p. 201). ^b 12 & 13 Vic. c. 104 § 25 (p. 201).

Electoral Division, and one for the paupers chargeable to the Union at large. The Form for the Books is annexed hereto^a. These Books are required by Section 24 of the above Act, to be left open to the inspection of all persons assessed to the Poor Rate within the Union, from ten in the forenoon till four in the afternoon, on one day at least in each week; and the Guardians should give public notice of the day which they may select for that purpose.

CIRCULARS.

ACCOUNTS
of Persons
relieved.

In the Book for the Union at large, one or more separate pages (according to the population and probable number of applicants for relief) should be reserved for each townland in the entire Union, and the names of all persons admitted to relief and charged to the Union at large, should be entered under the head of the townland in which they are stated to have last resided, a separate series of numbers (to be entered in the 1st column of Form I.), being employed for each townland.

In the Book for each Electoral Division, one or more separate pages should, in the same manner, be reserved for each townland in that Electoral Division, and the names of all persons admitted to relief and charged to that Electoral Division, should be entered under the head of the townland in the Division in which they are stated to have last resided according to the Register.

The names of all persons previously in receipt of relief, who may be re-admitted to the Workhouse, or again allowed Out-relief, should be entered anew with a proper reference in the 7th column to the number in the 1st column, corresponding to the previous entry of their names under the head of the same townland.

Annexed is also the Form^b for the statement of the numbers relieved in the Union, and chargeable against the several Electoral Divisions and the Union at large respectively, to be posted each week on the door of the Union Workhouse, in pursuance of Section 25 of the same Act^c.

Publication
of Numbers
Relieved.^a Form I. II. (p. 748).^b Third form in p. 748.^c 12 & 13 Vic. c. 104, § 25 (p. 201).

FORMS REFERRED TO IN THE FOREGOING CIRCULARS.

FORMS OF BOOKS TO BE KEPT UNDER SECTION 24 OF 12 & 13 VIC., C. 104.

FORM I.—BOOK FOR UNION AT LARGE.

NAMES OF ALL PERSONS RELIEVED OUT OF THE POOR RATES.

_____ Union. _____ Townland of _____ Parish of _____ Electoral Division of _____

No. of Entry in this Book.	Names of all Persons Relieved out of the Poor Rates.	Date of Admission to Workhouse, or of Allowance of Out-Relief.		Date of Discharge from Workhouse, or of Discontinuance of Out-Relief.		Reference to previous No., if the Person has been previously entered in this Book.
		Admission to Workhouse.	Allowance of Out-Relief.	Discharge from Workhouse.	Discontinuance of Out-Relief.	

FORM II.—BOOK FOR ELECTORAL DIVISIONS.—(Form similar to Form I.)

FORM OF STATEMENT TO BE MADE AND POSTED ON WORKHOUSE DOOR UNDER SECTION 25 OF 12 & 13 VIC., C. 104.

NUMBER OF PERSONS WHO RECEIVED RELIEF IN THE UNION, DURING THE SEVEN DAYS PRECEDING _____ OF _____ Union.
SATURDAY, THE _____ OF 18 .

Relieved, and Chargeable to		In the Workhouse.	Out of the Workhouse.	TOTAL.
_____ Electoral Division,				
_____ "				
_____ "				
_____ Union at large,				
TOTAL,				

ORDER REGULATING THE DUTIES OF CLERK
OF THE GUARDIANS AND MASTER OF THE
WORKHOUSE, WHERE THOSE OFFICES ARE
COMBINED IN ONE PERSON.

ORDER:
CLERK AND
MASTER.
—

To the GUARDIANS of the POOR of the several UNIONS
named in the Schedule hereunto annexed^a, and to
all other persons whom it may concern :

WHEREAS, by certain General Orders under our
Seal, bearing date the Fifth day of February, 1849, Part II. 3.
the Nineteenth day of January, 1852, and the Part II. 2,
Eighth day of April, 1853, We did make certain Part II. 4.
Rules and Regulations relating to the meetings and
proceedings of Boards of Guardians, the Appoint-
ment and Duties of Union Officers, the Management
of Workhouses, and the keeping and auditing of
Accounts in the several Unions in Ireland :

And whereas, by the said General Order of the
Nineteenth day of January, 1852^b, We did direct
that the Board of Guardians should, as soon as
might be requisite, and from time to time thereafter,
upon the occurrence of any vacancy, appoint fit
persons to perform, respectively, the duties specified
by the Rules and Regulations of the Commissioners
in force at the time to be the duties of the following,
among other, Officers :—

CLERK OF THE GUARDIANS,
MASTER OF THE WORKHOUSE :

And whereas it has been deemed expedient, in the
Unions named in the Schedule hereunto annexed^a,
to appoint one and the same person to perform the
duties of Clerk of the Guardians and Master of the
Workhouse ; and it is expedient to regulate the
duties of the person so appointed or to be appointed
to the combined offices of Clerk of the Guardians
and Master of the Workhouse.

Now, therefore, We, the Commissioners for admin-
istering the Laws for Relief of the Poor in Ireland,
do hereby order and direct, that so long as the said
offices of Clerk of the Guardians and Master of the
Workhouse shall be held by one and the same per-

^a p. 750.

^b Part II. 2, Article 25 (p. 620).

ORDER:
CLERK AND
MASTER.

son, the duties set forth in the said General Orders, and in any other Orders of the Commissioners in force at the time, as the duties to be performed by the Clerk of the Guardians and the Master of the Workhouse, respectively, shall be the duties to be performed by the person so holding the combined offices of Clerk of the Guardians and Master of the Workhouse as aforesaid, excepting the duty imposed upon the Clerk of the Guardians by the said General Order of the Nineteenth day of January, 1852^a, of examining, previously to each Ordinary Meeting of the Guardians, the Accounts required to be kept by the Master of the Workhouse, to ascertain the correctness of the entries made therein, to authenticate the same, if accurate, by his initials, and to report any inaccuracies which he may find therein to the Board of Guardians.

And We do hereby further declare that the said Clerk of the Union shall, in his capacity of Master of the Workhouse, be, to all intents and purposes, as fully responsible for the correctness and accuracy of the said Accounts as if he had, in pursuance of the said Regulations, authenticated the same by his initials in his capacity of Clerk of the Union.

SCHEDULE.

NAMES OF UNIONS TO WHICH THIS ORDER APPLIES.

Belmullet.	Gortin.
Castleblayney.	Tobercurry.
Dunfanaghy.	

Sealed with our Seal this Fourth Day of
March in the Year of our Lord One Thou-
(L.S.) sand Eight Hundred and Fifty-six.

(Signed) A. POWER.
E. SENIOR.

CARLISLE.

I, GEORGE WILLIAM FREDERICK, EARL OF CARLISLE, Lord Lieutenant General and General Governor of Ireland, do hereby approve this Order.

By His Excellency's Command,

THOMAS A. LARCOM.

COMBINATION OF DUTIES OF CLERK AND MASTER :—
LETTER TO BOARDS OF GUARDIANS ACCOMPANYING
THE FOREGOING ORDER.

CIRCULAR :
CLERK AND
MASTER.

POOR LAW COMMISSION OFFICE, DUBLIN,
7th March, 1856.

SIR,—The Commissioners for administering the Laws for Relief of the Poor in Ireland transmit herewith a copy of an Order^a which they have deemed it expedient to issue, making the existing Rules and Regulations, regarding the duties of Clerk of the Union and Master of the Workhouse, applicable to the case of —— Union, where the offices of Clerk and Master have been permitted to be held by the same person.

In regard to the Bond to be given by the person holding the joint offices of Clerk and Master, and his Sureties, the Commissioners think that the existing form of Clerk's Bond^b may easily be adapted to the circumstances of the case.

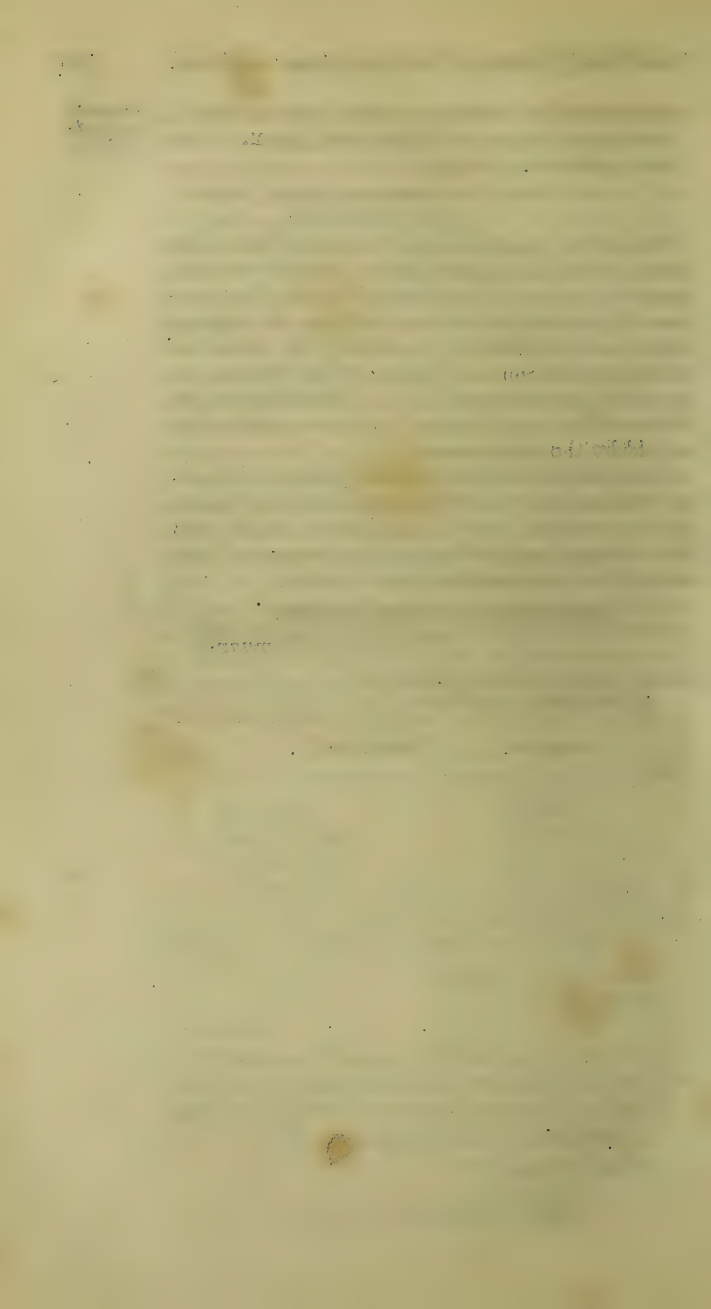
By Order of the Commissioners,

W. STANLEY, *Secretary.*

To the Presiding Chairman of the Board
of Guardians, —— Union.

^a Page 749.

^b Part IV. No. 1.



PART II.

5.—ADJUSTMENT OF LIABILITIES AND
ANNUITIES.

ORDERS

FOR

ADJUSTMENT OF LIABILITIES, &c.,

ON

ALTERATION OF BOUNDARIES;

AND FOR DECLARING

CONSOLIDATED ANNUITIES.

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PART II. 5.

GENERAL ORDER OF 11TH DECEMBER, 1851,

FOR

ADJUSTMENT OF LIABILITIES,

AND

INDEMNIFICATION FOR LOSS OR EXCHANGE OF
PROPERTY,

IN CONSEQUENCE OF

ALTERATION OF BOUNDARIES OF UNIONS AND
ELECTORAL DIVISIONS.ADJUSTMENT
ORDER;
11 DEC. 1851.

To the GUARDIANS of the POOR of each of the
UNIONS named in the Schedules A and B to this
Order annexed* ; and to all other Persons whom
it may concern :

WHEREAS by certain Orders issued from time to
time under our Seal, in pursuance of the provisions
of an Act passed in the Tenth Year of the Reign of
Her present Majesty, Queen Victoria, intituled,
“An Act to make further provision for the Relief 10 Vic. c. 31.
of the Destitute Poor in Ireland,” We, the Com-
missioners for administering the Laws for Relief of
the Poor in Ireland, have altered the Boundaries of Old Unions.
the several Unions named in the Schedule A here-
unto annexed, or of the Electoral Divisions thereof,
and from Townlands separated from certain of the
said Unions, We have, by other Orders issued from New Unions.
time to time under Seal, formed the Unions named
in the Schedule B hereunto annexed :

And whereas by certain other Orders issued from
time to time under our Seal, We have provided for
the Adjustment of the Liabilities of the Unions
named in the Schedule A hereunto annexed, except
the Unions of Armagh, Castlederg, Clogher, Clones,
Lisnaskea, Lowtherstown, Lurgan, Milford, Mon-
aghan, and Omagh, and of every Electoral Division
thereof as existing at the time of the alteration of
the Boundaries of the said Unions and Electoral
Divisions, and of the proportionate share thereof to
be borne by the Townlands affected by such change ;
and likewise for indemnifying any Union, Electoral

ADJUSTMENT
ORDER;
11 DEC. 1851.

Division, or Townland, for any loss or exchange of property occasioned by the alteration of Boundaries:

And whereas, since the date of the said last recited Orders, the Liabilities of the several Unions named in the Schedules hereunto annexed, in respect of Advances made by the Public Works Loan Commissioners for the erection or enlargement of Workhouses, and in respect of Advances made under the authority of the Act passed in the Tenth Year of the Reign of Her present Majesty, intituled, "An Act for the Temporary Relief of Destitute Persons in Ireland," have been consolidated and converted into equivalent Annuities under the provisions of an Act passed in the Thirteenth Year of the Reign of Her present Majesty, intituled, "An Act to authorize a further Advance of Money to certain distressed Poor Law Unions, and to make provision for the Repayment of Advances made and authorized to be made to Poor Law Unions and other Districts in Ireland:" and it is expedient to make other provisions for the Adjustment of the said Liabilities than are contained in the said recited Orders:

10 Vic. c. 7.

13 Vic. c. 14.

And whereas it is expedient to provide for the Adjustment of the Liabilities of each of the above-mentioned Unions of Armagh, Castlederg, Clogher, Clones, Lisnaskea, Lowtherstown, Lurgan, Milford, Monaghan, and Omagh, and of the Electoral Divisions thereof as existing at the time of the alteration of the Boundaries thereof, and of the proportionate share thereof to be borne by the Townlands affected by such change:

Rescinding
of previous
Adjustment
and Indem-
nification
Orders.

Now therefore, We do hereby rescind any Order or Orders heretofore issued under our Seal to any of the Unions named in the Schedules hereunto annexed, containing Rules and Regulations for the adjustment of Liabilities of such Unions, or of the Electoral Divisions thereof, and for the Indemnification of any such Union, Electoral Division, or Townland thereof, for any loss or exchange of property occasioned by the alteration of Boundaries, excepting nevertheless every Order issued under our Seal for the adjustment of Liabilities under our General Orders of the Thirteenth day of June, 1849, and the Twenty-third day of December, 1850, for a

General Rate in Aid^a of distressed Unions and Electoral Divisions in Ireland : and with respect to each and every Union named in the Schedules hereunto annexed, We do hereby Order and Direct as follows ; that is to say,—

ADJUSTMENT
ORDER ;
11 DEC. 1851.

Every Townland formerly comprised in an Union named in the Schedule A to this Order annexed shall be debited—

1stly. With its share, according to its net annual value at the time of change, of the balance, if any, standing against the Electoral Division in which such Townland was formerly included, such balance being in all cases the excess of the sums charged against such Electoral Division in its account with the Guardians over the sums placed to its credit from time to time in such account :

2ndly. With its share, according to its net annual value at the time of change, of the proportion chargeable on the Electoral Division in which such Townland was formerly situate, of all debts due by the Guardians at the time of change, and not already brought into account against the Electoral Divisions of the said Union : excepting nevertheless such of the said debts as have been incurred in providing a supply of Clothing and Bedding and Provisions, and other articles of daily consumption in the administration of relief, such last-mentioned debts to be adjusted and charged as We shall specially direct by a separate Order in the case of each Union :

And every such Townland shall be credited—

With its share, according to its net annual value at the time of change, of the balance, if any, standing in favour of the Electoral Division in which such Townland was formerly situate, such balance being the excess of the sums placed to the credit of such Electoral Division from time to time, over the sums charged against it in its account with the Guardians :

And, with respect to all Workhouses and auxiliary Workhouses which were situate in any Union named in Schedule A at the time of change, and which are still situate therein, We do hereby Order and De-

^a Rate in Aid Act, 1849, 12 Vic. c. 29 ; and see notes thereon, in p. 239, 240.

ADJUSTMENT
ORDER;
31 DEC. 1851.

clare that every Townland separated from such Union shall be credited with its share, according to its net annual value at the time of change—

1stly. Of all sums paid by the Guardians of the said Union, or secured and charged on the Poor-rates thereof, on account of the purchase or building of the Workhouse and auxiliary Workhouses still situate in the said Union, or any of them, or of any land adjoining to or connected with such Workhouses, or of any addition to or repairs of such buildings, or on account of any loans contracted for any of the purposes aforesaid, deducting, nevertheless, from the sums paid or secured to be paid on account of the purchase or erection of any such building, an abatement hereafter to be determined for the use thereof, from the time of such building being first used for or in connexion with the reception and maintenance of inmates until the time of change :

2ndly. Of the value of all moveable property and growing crops, if any, belonging to the Guardians of the said Union which were in possession of the said Guardians at the time of change, and which remained in the custody or possession of the Officers of the said Union, excepting such of the said moveable property as consists of Clothing and Bedding on hand unappropriated, and provisions and necessities unconsumed, the value of such last-mentioned property to be adjusted and charged as We shall specially direct by a separate Order in the case of each Union.

And every Townland remaining in the said Union shall be debited with its proportion, according to its net annual value at the time of change, of the sums so credited to the Townlands separated from the said Union as aforesaid :

And with respect to all Workhouses or auxiliary Workhouses which, by reason of such alteration of the Boundaries of Unions named in Schedule A, are now situate in a different Union from that in which they were situate before the time of change, We do hereby Order and Direct as follows, that is to say :

Every Townland, formerly comprised in the Union in which such Workhouses or auxiliary

Workhouses were situate before the time of change, and now comprised either in that Union or in some Union other than the Union in which such Workhouses or auxiliary Workhouses are now situate, shall be credited with its share according to its net annual value at the time of change—

ADJUSTMENT
ORDER;
11 DEC. 1851.

1stly. Of all sums paid by the Guardians of the Union in which such Workhouses or auxiliary Workhouses were situate before the time of change, or secured and charged on the Poor-rates of the said Union, on account of the purchase or building of the said Workhouses, or of any land adjoining to or connected with such Workhouses, or of any addition to or repairs of such buildings, or on account of any loans contracted for any of the purposes aforesaid; deducting, nevertheless, from the sums paid or secured to be paid on account of the purchase or erection of any such building or land connected therewith, an abatement hereafter to be determined for the use thereof from the time of such building being first used for or in connexion with the reception and maintenance of inmates, until the time of change :

2ndly. Of the value of all moveable property and growing crops, if any, belonging to the Guardians of the Union in which such Workhouses or auxiliary Workhouses were situate at the time of change, and which thereupon passed into the possession or custody of the Officers of the Union in which such Workhouses or auxiliary Workhouses are now situate.

And every Townland now comprised in the Union wherein such Workhouses or auxiliary Workhouses are now situate, shall be debited with its proportion according to its net annual value at the time of change, of the sums so to be credited as aforesaid to the Townlands which were formerly comprised in the Union wherein such Workhouses or auxiliary Workhouses were situate before the time of change, and which are now comprised in the said Union, or some Union other than the Union in which such Workhouses or auxiliary Workhouses are now situate; excepting nevertheless such of the said debts as have been incurred in providing a supply of Bedding and Clothing, and provisions and other

ADJUSTMENT
ORDER;
11 DEC. 1851.

articles of daily consumption in the administration of relief, such last-mentioned debts to be adjusted and charged as We shall hereafter direct.

The balance, if any, resulting from a comparison of such debits and credits in favour of each Townland, shall be payable to the credit of the said Townland by the Treasurer of the Union from which it shall have been separated, to the Treasurer of the Union in which such Townland is now situate, and the balance, if any, against such Townland, shall be payable on behalf of the said Townland by the Treasurer of the Union in which it is now situate, to the Treasurer of the Union from which it shall have been separated.

And We do hereby further Order and Direct as follows, that is to say :—

Every Townland separated from a Union named in Schedule A, and transferred to another Union, shall be debited with its proportion according to its net annual value at the time of change—

1stly. Of all sums paid by the Guardians of the Union to which such Townland has been added, or secured and charged on the Poor-rates thereof, on account of the purchase or building of the said Workhouse and auxiliary Workhouses, or any of them, or of any land adjoining to or connected with such Workhouses, or of any addition to or repairs of such buildings, or on account of any loans contracted for any of the purposes aforesaid, deducting, nevertheless, from the sums paid or secured to be paid on account of the purchase or erection of any such building, an abatement hereafter to be determined for the use thereof, from the time of such building being first used for or in connexion with the reception and maintenance of inmates until the time of change :

2ndly. Of the value of all moveable property, goods, and chattels, and growing crops, if any, belonging to the Guardians of the said Union, which were in possession of the said Guardians at the time of change, except provisions and other articles of daily consumption, and except such articles chargeable as establishment charges as shall not have been paid for at the time of change.

Every Townland formerly comprised in the Union to which such before-mentioned Townlands have been transferred, and still comprised therein, shall be credited with its share according to its net annual value at the time of change, of the sums so debited to such last-mentioned Townlands as hereinbefore directed.

ADJUSTMENT
ORDER;
11 DEC. 1851.

Provided always, and We do hereby except from the operation of this Order all such of the said debts and liabilities as have been consolidated and charged by way of Annuity under the provisions of the said recited Act of the Thirteenth Year of the Reign of Her present Majesty^a.

Exception of
Debts and
Liabilities
consolidated
in Annuities,
under 13 Vic.
c. 14.

And We do hereby further Order and Direct that all rates made and outstanding at the time of change on the several Electoral Divisions of any Union shall be collected from the parties liable by law to pay the same, by the persons authorized to collect and receive such rates, and shall be lodged with the Treasurer of the said Union as now constituted, to be placed to the credit of the Guardians on account of the Electoral Division from which such rates shall have been collected.

And We do hereby further Order and Direct that the Clerk of each of the said Unions in Schedule A, shall keep, in a form to be provided for that purpose, an account to be entitled "*The Old Union Townlands Account*," in which he shall enter against or in favour of, as the case may be, each Townland formerly comprised in the said Union, the balance against or in favour of such Townland at the time of change, and shall credit each such Townland with its share, according to the proportion of its net annual value at the time of change, of the outstanding rates or other receipts lodged on account of the Electoral Division in which such Townland shall have been formerly situate, less the poundage payable to the Collector and any other expenses chargeable to such Electoral Division in respect of the recovery of such outstanding rates or of such other receipts as aforesaid, deducting likewise all such sums as the said Treasurer is bound by Law to reserve from such lodgments, and place to the ac-

Old Unions
Townlands
Account.

^a 13 Vic. c. 14 (p. 245 :)—see note ^a in p. 247.

ADJUSTMENT
ORDER;
11 Dec. 1851.

count entitled "The General Rate-in-Aid Account^a," and shall likewise credit such Townland with the sums paid, from time to time, on its behalf to the Treasurer of the said Union, as hereinbefore directed, and shall debit such Townland with its share according to its net annual value at the time of change of such part of any expenses which shall be incurred in the settlement of the affairs of the said Union as constituted before the time of change, as We, the said Commissioners, shall from time to time direct.

And We do hereby further Order and Direct that the Clerk of each of the said Unions in Schedule A, shall furnish a statement of the debits and credits of each such Townland to the Board of Guardians of the Union in which it shall be hereafter situate from time to time, whenever he shall be required by us so to do; and if at any time the balance shall be in favour of such Townland, such balance shall be paid by the Treasurer of the said Union in Schedule A, to the Treasurer of the Union in which such Townland shall be situate, and placed to the credit of such Townland.

And we do hereby further Order and Direct that the Guardians of the Union now comprising any Townland formerly situate in any Union named in Schedule A, shall, in the making of all rates on the Electoral Division thereof, containing such Townland, include in their estimates of the rates so to be made, the amount of the balance then standing against such Townland, and shall levy the same together with the rates leviable for the relief of the Poor and for the other expenses chargeable on such Electoral Division; provided nevertheless that the balance so standing against such Townland shall be leviable from such Townland separately, and shall be assessed thereon by an equal poundage rate on the rateable hereditaments situate in such Townland, in addition to the poundage rate leviable thereon for the relief of the Poor and for the other expenses chargeable on such Electoral Division, and such addition to the Rates shall be deemed to be part of the Rates made upon and belonging to

^a Rate in Aid Act, 1849, 12 Vic. c. 29, § 2 (p. 240); and see notes thereon in p. 239, 240.

the Electoral Division, and shall, when collected, be credited to the Electoral Division accordingly.

ADJUSTMENT
ORDER:
11 DEC. 1851.

And we do hereby further Order and Direct that the Guardians of each of the Unions named in Schedules A and B shall, in respect of any balance paid or standing to the credit of any Townland in such Union, in the next rate thereafter to be made on the Electoral Division comprising such Townland, reduce the poundage leviable on the several rateable hereditaments situate in such Townland, by deducting from it the poundage of the sum so paid or standing to the credit of such Townland; and the sum so paid to the credit of such Townland, shall, after the making of such rate, be forthwith transferred to the credit of such Electoral Division.

And we do hereby further Order and Direct that the balance due from each Townland, if any, shall, from and after the making of a Rate with additional poundage sufficient to discharge the same, be chargeable on the Electoral Division in which such Townland shall be situate.

And we do hereby further Order and Direct that the Clerk of each of the said Unions named in Schedules A and B shall keep an account, in a form to be provided for that purpose, entitled "*The ——— Union Townland Account*," in which he shall enter, from time to time, the balances due to or from the several Townlands in the Union, and the sums, if any, which shall be paid, or which shall be standing, to the credit of each of such Townlands, or the sums, if any, which shall be paid by and on behalf of such Townland, until all balances against or in favour of such Townlands shall have been liquidated.

New Unions
Townlands
Account.

SCHEDULES REFERRED TO IN THE FOREGOING ORDER.

SCHEDULE A.—NAMES OF UNIONS.

Abbeyleix,	Ballyshannon,	Carrick-on-Shannon,	Old Unions.
Armagh,	Balinglass,	Carrick-on-Suir,	
Athlone,	Bandon,	Cashel,	
Athy,	Bantry,	Castlebar,	
Bailieborough,	Boyle,	Castleblayney,	
Ballina,	Caherciveen,	Castlederg,	
Ballinasloe,	Callan,	Castlereagh,	
Ballinrobe,	Carlow,	Cavan,	

ADJUSTMENT
ORDER;
11 DEC. 1851.

Clifden,
Clogheen,
Clogher,
Clones,
Clonmel,
Cootehill,
Cork,
Dingle,
Donegal,
Dungarvan,
Dunmanway,
Edenderry,
Ennis,
Enniscorthy,
Enniskillen,
Ennistymon,
Fermoy,
Galway,
Glenties,
Gorey,
Gort,
Granard,
Kanturk,
Kells,

Kenmare,
Kilkenny,
Killarney,
Kilmallock,
Kilrush,
Kinsale,
Limerick,
Lismore,
Lisnaskea,
Listowel,
Longford,
Loughrea,
Lowtherstown,
Lurgan,
Macroom,
Mallow,
Manorhamilton,
Midleton,
Milford,
Mohill,
Monaghan,
Mountmelick,
Mullingar,
Naas,

Nenagh,
Newcastle,
New Ross,
Oldcastle,
Omagh,
Parsonstown,
Rathdrum,
Rathkeale,
Roscommon,
Roscrea,
Scariff,
Shillelagh,
Skibbereen,
Sligo,
Swineford,
Thurles,
Tipperary,
Tralee,
Trim,
Tuam,
Tullamore,
Waterford,
Westport,
Wexford.

SCHEDULE B.—NAMES OF UNIONS.

New Unions. Ballymahon,
Ballyvaghan,
Bawnboy,
Beimullet,
Borrisokane,
Castlecomer,
Castletown,
Castletowndelvin,
Claremorris,
Clonakilty,
Corrofin,

Croom,
Donaghmore,
Dromore, West,
Glennamaddy,
Glin,
Killadysert,
Killala,
Kilmacthomas,
Millstreet,
Mitchelstown,
Mount Bellew,

Newport,
Oughterard,
Portumna,
Skull,
Strokestown,
Thomastown,
Tobercurry,
Tulla,
Urlingford,
Youghal.

Sealed with our Seal, this Eleventh Day of
December, in the Year of our Lord One
(L.S.) Thousand Eight Hundred and Fifty-one.

(Signed)

A. POWER,
WM. M. SOMERVILLE,
JOHN BALL.

CLARENDON.

I, GEORGE WILLIAM FREDERICK, EARL of CLARENDON, Lord Lieutenant General and General Governor of Ireland, do hereby approve this Order.

By His Excellency's Command,

WM. M. SOMERVILLE.

FORM OF ORDER,

ISSUED TO UNIONS FROM TIME TO TIME, DECLARING THE
BALANCES FOUND IN FAVOUR OF OR AGAINST THE
TOWNLANDS IN THE UNION,

ON THE

ADJUSTMENT OF THEIR LIABILITIES,

AT THE TIME OF

ALTERATION OF BOUNDARIES*.

GOREY UNION.

To the GUARDIANS OF THE POOR of the Unions of
GOREY and ENNISCORTHY; and to all others whom
it may concern :

ORDER
DECLARING
BALANCES.

WHEREAS, by certain Orders under Our Seal,
bearing date the 8th day of August, 1850, We, the
Commissioners for administering the Laws for Relief
of the Poor in Ireland, did Order and Declare, that
from and after the 10th day of August, then instant,
certain Townlands should be separated from the
Unions of Gorey and Enniscorthy, and that certain
of the Townlands so separated from the said Union
of Enniscorthy should be added to and form part
of the said Gorey Union, and that the said Gorey
Union so altered should be divided into Twenty-
five Electoral Divisions :

AND WHEREAS in pursuance of the powers vested
in Us in that behalf, We have ascertained the Li-
abilities of the several Electoral Divisions of the said
Unions as existing previously to the said 10th day
of August, 1850, and We have further ascertained
the proportionate share of the said Liabilities to be
borne by each of the several Townlands included
in the Electoral Divisions of the said Unions, and
the amount of Indemnification, if any, to which
each such Townland is entitled for any loss or

* The clauses in brackets in this form of order are inserted or
varied, and the Schedules are filled up, according to the circum-
stances of the case and to the Balances ascertained in each Union,
whether in favour of or against the respective Townlands.

ORDER
DECLARING
BALANCES.

exchange of property occasioned by such alteration of boundaries as aforesaid :

AND WHEREAS We have compared the Debits against and the Credits in favour of such of the said Townlands as are now comprised in the said Gorey Union, including in such comparison the Debits and Credits to which such Townlands were respectively liable or entitled on the 10th day of August, 1850, as well as the proportionate shares of all Rates made on the Electoral Divisions in which such Townlands were respectively comprised before the said 10th day of August, and collected between that date and the dates hereinafter mentioned ; that is to say, so far as relates to the Townlands formerly in Gorey Union, the 7th day of May, 1852, and so far as relates to the Townlands formerly in Enniscorthy Union, the 30th day of September, 1852 :

[^aAnd whereas, from such comparison of the Debits and Credits of the Townlands formerly comprised in Enniscorthy Union, the sums set forth in the 3rd Column of the Schedule A hereunto annexed^b, have been found to be the balances in favour of the Townlands opposite to the names of which they are respectively set, on their separation from the said Union :

Now therefore, We do hereby declare the sums set forth in the 3rd Column of the said Schedule A^b to be the balances found as aforesaid in favour of the Townlands opposite to the names of which they are respectively set, on their separation from the said Enniscorthy Union^a.]

[^aAnd whereas, from such comparison of the Debits and Credits of the Townlands now comprised in the said Gorey Union, including in such comparison the sums chargeable to the Townlands so separated from the Enniscorthy Union and added to the Gorey Union as aforesaid, as their proportionate shares of all sums paid before the time of change by the Board of Guardians of Gorey Union, for Workhouse Loan Instalments, Purchase and Repairs of Workhouse Buildings, Sites, and other real property, and also on account of moveable pro-

^a See note in preceding page, (p. 765). ^b Form of Schedule, p. 768.

ORDER
DECLARING
BALANCES.

perty, Goods, and Chattels in the possession of the Guardians of Gorey Union at the time of change, as well as the balances in favour of the said last-mentioned Townlands, which are set forth in the said Schedule A as aforesaid^a, the sums set forth in the 3rd Column of the Schedule B hereunto annexed^a, have been found to be the balances in favour of the Townlands opposite to the names of which they are respectively set, and the sums set forth in the 4th Column of the said Schedule B have been found to be the balances against the Townlands opposite to the names of which they are respectively set :

Now therefore, We do hereby declare the sums set forth in the 3rd Column of the said Schedule B to be the balances found as aforesaid in favour of the Townlands opposite to the names of which they are respectively set, and the sums set forth in the 4th Column of the said Schedule B to be the balances found as aforesaid against the Townlands opposite to the names of which they are respectively set^b.]

And for the purpose of carrying to account the balances at any time due to, or by each of the Townlands in the said Gorey Union, and for the purpose of levying the balance due at any time from any such Townland, and of indemnifying any such Townland for the balance at any time due to it, We do hereby confirm the provisions made in that behalf in our General Order of the 11th day of December, 1851^c, and hereby authorize the same to be carried into effect in the next, and, if necessary, in any subsequent Rate to be made on the Electoral Divisions in the said Unions.

And We do further Order and Direct, that from and after the making of a Rate in any Electoral Division of the said Gorey Union, in which, in pursuance of the provisions of the said last-mentioned Order, the poundage leviable on the rateable hereditaments in any Townland shall have been reduced by deducting from it the poundage of the sum standing to the credit of such Townland, in the 3rd Column of the said Schedule B, the aggregate

^a Forms of Schedules, p. 768. ^b See note in p. 765. ^c Page 755.

**ORDER
DECLARING
BALANCES.**

of the sums standing to the credit of the several Townlands included in such Electoral Division of the said Gorey Union, shall be transferred to the credit of such Electoral Division.

SCHEDULES REFERRED TO IN THE FOREGOING ORDER^a.

SCHEDULE A.

Names of Townlands. 1	Name of Electoral Division in which the Townland is now situated. 2	Balance in favour of Townland. 3	Name of Union in which the Townland was formerly situated. 4	Name of Electoral Division in which the Townland was formerly comprised. 5
		£ s. d.		

SCHEDULE B.

Names of Townlands. 1	Name of Electoral Division in which the Townland is now situated. 2	BALANCE.		Name of Electoral Division in which the Townland was formerly comprised. 5
		In favour of Townland. 3	Against Townland. 4	
		£ s. d.	£ s. d.	

Sealed with our Seal, this Fourth Day of November, in the Year of our Lord One (L.S.) Thousand Eight Hundred and Fifty-three.

(Signed,)

A. POWER,
E. SENIOR.

ST. GERMANS.

I, EDWARD GRANVILLE, EARL OF ST. GERMANS, Lord Lieutenant-General and General Governor of Ireland, do hereby approve this Order.

By His Excellency's Command,

JOHN YOUNG.

^a See note in page 765.

CONSOLIDATED ANNUITIES.

CONSOLI-
DATED
ANNUITIES
ORDERS.FORMS OF ORDERS ISSUED UNDER THE LOANS
AND ANNUITIES ACT, 1850, (13 & 14 Vic. c. 14.)

FORM of ORDER declaring ANNUITIES payable under
13 Vic. c. 14, § 4, and requiring GUARDIANS to
provide for Payment of the same.

DUNDALK UNION.

To the GUARDIANS of the POOR of the DUNDALK
UNION; and to all other Persons whom it may
concern:

Whereas in pursuance of the Provisions of an Act
passed in the Thirteenth Year of the Reign of Her
present Majesty, Queen Victoria, intituled "An 13 Vic. c. 14.
Act to authorize a further Advance of Money to
certain distressed Poor Law Unions, and to make
provision for the Repayment of Advances made
and authorized to be made to Poor Law Unions
and other Districts in *Ireland*," the Lords Commis-
sioners of Her Majesty's Treasury have transmitted
to us, the Commissioners for administering the
Laws for Relief of the Poor in Ireland, a Statement
showing all the Annuities which should be charged
on the several Electoral Divisions and Townlands
of the Dundalk Union, in repayment of the Debts
due by the Guardians of the Poor of the said Union
in respect of the sums advanced as Loans for Build-
ing a Workhouse for the said Union, and in respect
of sums advanced for the Temporary Relief of
Destitute Poor Persons, for the Employment of the
Labouring Poor, and for the extension and pro-
motion of Public Works; and directing and deter-
mining the continuance of the said Annuities and
the days of Payment thereof respectively:

Now therefore, in pursuance of the provisions
of the said Act, and of the directions given unto
us by the Lords Commissioners of Her Majesty's
Treasury in this behalf, we do hereby order and de-
clare that the amount of the Annuity to be charged
under the said Act on any Electoral Division or
Townland in the said Union, shall be the amount
set forth in the second column of the Schedule

CONSOLI-
DATED
ANNUITIES
ORDERS.

hereunto annexed opposite to the name of such Electoral Division or Townland set forth in the first column of the said Schedule; and each and every such Electoral Division and Townland is hereby charged annually with the amount so set opposite to the name of such Division or Townland in the said Schedule, to commence from the 30th day of September in the Year 1850, and to continue for [*Twenty*] Years^a; and for the purpose of making provision for Payment of such Annuities, the day of Payment of the several Annuities hereby charged shall be the 10th day of April in the Year 1851, and the same day in each succeeding Year.

And we do hereby order and direct the Guardians of the Poor of the said Union, to proceed in relation to every Annuity hereby charged according to the provisions of the said Act, and in the first Rate to be made on any Electoral Division comprising any Townland hereby charged with any separate Annuity, after the yearly day of Payment of such Annuity in every Year, so long as such Annuity shall remain payable, to assess and raise the yearly sum payable in respect of the Annuity which, under this Order as aforesaid, is charged on such Townland, by a Rate on the Rateable Hereditaments comprised in such Townland, in addition to the Rate made thereon for the general purposes of the Electoral Division; and such addition to the Rate shall be deemed to be part of the Rates made upon and belonging to the Electoral Division, and shall be collected accordingly, and lodged with the Treasurer of the Union to the credit of such Electoral Division; and where one Annuity is charged on an Electoral Division in the said Schedule, we do hereby order and direct the said Guardians to provide for the payment thereof by additions to the Rates from time to time made upon the Electoral Division on which such Annuity is charged under this Order.

^a These and other particulars in this form of Order, and in the Schedules, varied of course according to the circumstances of the particular Union to which the Order was from time to time issued. The payment of Annuities was afterwards altogether remitted and made a grant from and after the periods referred to in § 1, 2 of 16 & 17 Vic. c. 75, (p. 261-2): and see note ^a in p. 249 as to balance remaining at the date alluded to.

SCHEDULE.

Column 1.	Column 2.	Column 1.	Column 2.
Name of Electoral Division.	Amount of Annuity.	Name of Electoral Division.	Amount of Annuity.
	£ s. d.		£ s. d.
Dundalk Elec. Div.,	278 6 1 $\frac{1}{4}$	Haggardstown El. Div.,	58 4 5 $\frac{1}{2}$
Ballymasculan do. .	60 2 7 $\frac{3}{4}$	Inishkeen do. .	21 15 3 $\frac{3}{4}$
Barronstown do. .	41 3 3	Jeninstown do. .	27 2 4 $\frac{1}{4}$
Carlingford do. .	119 12 5 $\frac{1}{4}$	Louth do. .	57 6 11
Castlering do. .	37 8 0	Lower Creggan do. .	67 7 9 $\frac{1}{2}$
Darver do. .	57 15 6 $\frac{3}{4}$	Rathcorr do. .	49 4 8 $\frac{1}{2}$
Dromiskin do. .	50 6 1 $\frac{1}{4}$	Ravensdale do. .	24 15 6 $\frac{1}{2}$
Drumnullagh do. .	23 17 0 $\frac{3}{4}$	Upper Creggan do. .	33 13 3
Faughart do. .	48 18 0	Castletown do. .	60 0 0 $\frac{1}{4}$

SCHEDULE.

Column 1.	Column 2.	Column 1.	Column 2.
Name of Electoral Division and Townlands.	Amount of Annuity.	Name of Electoral Division and Townlands.	Amount of Annuity.
	£ s. d.		£ s. d.
KILLANNY Elec. Div., Townlands—		KILLANNY Elec. Div., Townlands—	
Killanny, . . .	1 5 2	Stonetown, Lower, .	2 1 0 $\frac{1}{4}$
Drumard, . . .	2 15 1 $\frac{3}{4}$	Newtown, . . .	0 15 8 $\frac{1}{2}$
Ballyregan, . . .	0 18 0 $\frac{1}{4}$	Loughtate, . . .	0 9 3 $\frac{1}{4}$
Corrodoran, . . .	1 0 10 $\frac{1}{2}$	Rosslough, . . .	3 2 4 $\frac{1}{4}$
Carrickavallen, . . .	1 10 10 $\frac{1}{2}$	Red Bog, . . .	0 0 0
Tullygowan, . . .	1 14 2 $\frac{1}{4}$	Annaghmony, . . .	0 12 7
Ballytrasna, . . .	0 11 4 $\frac{1}{4}$	Edenquin, . . .	1 12 2 $\frac{1}{2}$
Tullyraine, . . .	1 6 10	Drumgur, . . .	0 18 10 $\frac{3}{4}$
Lannolt, . . .	4 4 2 $\frac{1}{4}$	Rootate, . . .	1 16 10
Tullydrum, . . .	1 0 3	Castletate, . . .	0 1 7
Essexford, . . .	1 15 4 $\frac{1}{2}$	Sandfield, . . .	0 15 11 $\frac{1}{2}$
Tully, . . .	5 6 8	Corcrehagh, . . .	1 17 11
Annaghminnan, . . .	0 12 3 $\frac{3}{4}$	Total of Annuities charged on Townlands in Killanny Electoral Division, . . .	45 15 11 $\frac{3}{4}$
Drumgowna, . . .	2 12 0 $\frac{5}{8}$		
Muff, . . .	1 19 11 $\frac{3}{4}$		
Ravanny, . . .	0 15 6 $\frac{3}{4}$		
Oaktate, . . .	1 8 3		
Stonetown, Upper, .	0 14 6 $\frac{3}{4}$		

Sealed with our Seal, this Eighth Day of April,
in the Year of our Lord One Thousand
(L.S.) Eight Hundred and Fifty-one.

(Signed) A. POWER, *Chief Commissioner.*

(Countersigned,)

W. STANLEY, *Secretary.*

CONSOLI-
DATED
ANNUITIES
ORDERS.

- 2.—FORM of ORDER to TREASURER of Union for Reservation and Payment of Annuities, under 13 Vic. c. 14, § 5; and prescribing Forms of Account for the same.

DUNDALK UNION.

To the TREASURER of the DUNDALK UNION; and to all other Persons whom it may concern:

Whereas in pursuance of the Provisions of an Act passed in the Thirteenth Year of the Reign of Her present Majesty, Queen Victoria, intituled "An Act to authorize a further Advance of Money to certain distressed Poor Law Unions, and to make provision for the Repayment of Advances made and authorized to be made to Poor Law Unions and other Districts in Ireland," and in pursuance of the directions contained in a Statement transmitted to us by the Lords Commissioners of Her Majesty's Treasury, showing all the Annuities which should be charged on the several Electoral Divisions and Townlands of the Dundalk Union under the said Act, and directing and determining the continuance of the said Annuities, and the days of Payment thereof respectively, We, the Commissioners for administering the Laws for Relief of the Poor in Ireland, have issued an Order under our Seal, bearing date the 8th day of April instant^a, and addressed to the Guardians of the said Union, setting forth the Amount, Duration, and Day of Payment of the Annuity to be charged on each Electoral Division and Townland in the said Union, and directing the Guardians to proceed in relation to every such Annuity according to the Provisions of the said Act.

Now therefore, in further pursuance of the Provisions of the said Act, we do set forth herein the amount payable in each Year on account of the Annuities charged under the said Act on certain Electoral Divisions in the said Union, and the aggregate Amount payable in each year on account of the Annuities so charged as aforesaid on all

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the Townlands situate in certain other Electoral Divisions of the said Union, and the yearly day of Payment of such respective Annuities; that is to say, the amount so payable as aforesaid on account of any Electoral Division in the said Union, or on account of the Townlands situate therein, as the case may be, is the amount set forth in the following Table opposite to the name of such Electoral Division; and the day fixed as the day of payment of each of such Annuities is the 10th day of April in this present Year 1851, and the same day in each succeeding Year, to continue for [Twenty] Years from the 30th day of September, 1850.^a

TABLE.

Name of Electoral Division.	Annual Amount Payable.	Name of Electoral Division.	Annual Amount Payable.
	£ s. d.		£ s. d.
Dundalk, . . .	278 6 1 $\frac{1}{4}$	Inishkeen, . . .	21 15 3 $\frac{3}{4}$
Ballymascanlan, . . .	60 2 7 $\frac{3}{4}$	Jeninstown, . . .	27 2 4
Barronstown, . . .	41 3 3	Louth, . . .	57 6 11
Carlingford, . . .	119 12 5 $\frac{1}{4}$	Lower Creggan, . . .	67 7 9 $\frac{1}{2}$
Castlering, . . .	37 8 0	Rathcorr, . . .	49 4 8 $\frac{1}{2}$
Darver, . . .	57 15 6 $\frac{3}{4}$	Ravensdale, . . .	24 15 6 $\frac{1}{2}$
Dromiskien, . . .	50 6 1 $\frac{1}{4}$	Upper Creggan, . . .	33 13 3
Drummullagh, . . .	23 17 0 $\frac{3}{4}$	Castletown, . . .	60 0 0 $\frac{1}{4}$
Faughart, . . .	48 18 0	Aggregate Amount of	
Haggardstown, . . .	58 4 5 $\frac{1}{2}$	Annuities charged	
		on all the Town-	
		lands in Killany	
		Electoral Division,	45 15 11 $\frac{3}{4}$

And we do hereby order and direct you, the Treasurer of the said Union, in case the Board of Guardians shall not sooner pay the respective Annuities so charged, from all Lodgments made with you from time to time of the first or any subsequent Rate or Rates on account of each Electoral Division in the Union, after every yearly day of Payment of such Annuities, to reserve one equal third part of all such Lodgments, and place the same to the credit of the Electoral Division in an account to be entitled the "*Electoral Division Loans Repayment Account*," until the amount which shall become payable from

^a See note ^a in p. 770.

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time to time on account of the Annuity charged on such Electoral Division, or as the case may require, the Aggregate Amount of the Annuities charged on all the Townlands situate in such Electoral Division, and all arrears, if any, in respect of any previous Year or Years, shall have been received and placed to such account as aforesaid ; and from time to time to pay over all sums so reserved as aforesaid into the Bank of Ireland, to be there placed to a separate Account in the name of the Paymaster of Civil Services in Ireland, to be entitled the "*Loans Repayment Account*."

Provided that where any sum leviable under our Orders^a of the 13th day of June, 1849, and the 23rd day of December, 1850, on any Electoral Division of the said Union for the purposes of a General Rate-in-Aid, remains unpaid, the said one-third part of such Lodgments in respect of Rates on account of such Electoral Division, shall not be applied to any payment in respect of Annuities under this Order, until the sum leviable under the said Orders of the 13th day of June, 1849, and the 23rd day of December, 1850, is paid^a ; but after payment of the sum so leviable the one equal third part of all subsequent Lodgments in respect of such Rates as aforesaid shall be carried to the said Loans' Repayment Account, and applied according to the provisions of the hereinbefore recited Act, until the aggregate amount of all sums which may have become due in respect of the said Annuities shall be discharged.

And we do hereby order and direct that the said "*Loans Repayment Account*" shall be kept in the following Forms : that is to say,—

FORM I. *The Electoral Division Loans Repayment Account*, in which a separate account shall be kept for each Electoral Division of the Union, commencing on the day of Payment hereinbefore named in each year during the continuance of the Annuities above set forth ; on the debit side of which shall be entered the amount of every lodgment made to the

^a General Orders assessing Rates-in-Aid on all the Unions in Ireland : see note ^a in p. 239, and note ^b in p. 240.

credit of such Division of the first Rate and any subsequent Rate made thereon during the year succeeding such annual day of Payment, with the date of such lodgment, together with the name of the Collector making the same ; and on the credit side of the same Account shall be entered the amount of the equal third part reserved of each lodgment in pursuance of this Order.

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FORM II. *The Treasurer's Loans Repayment Account*, on the debit side of which shall be entered the amount of every third part so reserved during the year succeeding the Annual day of Payment in each year, and entered in the Electoral Division Loans Repayment account as aforesaid to the credit of each Electoral Division ; and on the credit side of the same account shall be entered the several payments made by the Treasurer into the Bank of Ireland to the "Loans Repayment Account" in pursuance of this Order.

PART II.

6.—R A T E S.

GENERAL ORDERS

PRESCRIBING

FORMS OF RATE-BOOKS

FOR

POOR RATES,

AND

NOTICES BEFORE AND AFTER RATE.

WITH INSTRUCTIONS THEREON.

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PART II. 6.

INTRODUCTORY NOTE BY EDITOR.

Several forms of Rate-Book have been prescribed from time to time. The form of Rate-Book in the first instance prescribed by the Irish Poor Relief Act, 1 & 2 Vic. c. 56, § 65 (p. 50, 97), and the Commissioners' order in pursuance of it, was superseded by § 10 of the Irish Poor Law Amendment Act of 1843, 6 & 7 Vic. c. 92 (p. 117), which repealed the previous provision and enacted, "that "it shall be lawful for the Poor Law Commissioners, "from time to time, to prescribe the Form in which "Rates shall be made, and the particulars which shall "be contained in the Rate-Book;" and provided further "that in respect of all rateable Hereditaments situated "in any of the Boroughs named in the Schedules (A) "and (B) annexed to the Act passed in the Fourth Year "of the Reign of Her present Majesty, intituled 'An "Act for the Regulation of Municipal Corporations in "Ireland', or in any other Town to which a Charter of "Incorporation may, under the said Act, be granted, "the Rate-Book shall, in Addition to any other necessary "Particulars, contain an Account of the estimated net "annual Value of such Rateable Hereditaments, and an "Estimate of the probable annual average Cost of the "Landlord's Repairs and Landlord's Insurance."

The Boroughs enumerated in the Schedules above referred to, are the following^a:—namely,

SCHEDULE (A).

Belfast,	Cork,	Dublin,	Limerick,	Sligo,
Clonmel,	Drogheda,	Kilkenny,	Londonderry,	Waterford.

SCHEDULE (B).

Ardee,	Charleville, (in	Galway,	Portarlington,
Armagh,	Kilmallock	Gorey,	(in Mountme-
Athlone,	Union),	Kells,	lick Union),
Athy,	Clonakilty,	Kinsale,	Strabane,
Bandon,	Coleraine,	Longford,	Tralee,
Boyle,	Dingle,	Maryborough,	Trim,
Callan,	Dundalk,	(in Mountme-	Tuam,
Carlow,	Dungannon,	lick Union),	Wexford,
Carrickfergus,	Ennis,	Monaghan,	Wicklow, (in
(in Larne	Enniscorthy,	Naas,	Rathdrum
Union),	Enniskillen,	Navan,	Union),
Cashel,	Fethard, (in	New Ross,	Youghal;
	Cashel Union)		

and the Town of Wexford has had a Charter of Incorporation.

^a 3 & 4 Vic. c. 108; Schedule A, p. 437; Schedule B, p. 438.

FORMS OF
RATE BOOK.

poration granted to it since the passing of the Municipal Corporation Act.

Under the Poor Law Amendment Act of 1843, two Forms of Poor Rate were prescribed by a General Order of the Commissioners, dated 23 September, 1843; one, the form to be used for poor-rates in Unions generally, and the other the form of poor-rate to be used in those parts of Unions comprising any such Boroughs or Towns.

The Poor Law Further Amendment Act of 1849, (12 & 13 Vic. c. 104, § 10, 21),—the Consolidated Annuities Act of 1850, (13 & 14 Vic. c. 14, § 4),—and, in regard to certain Boroughs, the Parliamentary Voters Act of 1850, (13 & 14 Vic. c. 69),—each rendered necessary further modifications in the forms of Rate-Books, from time to time, after the passing of those Acts: and General Orders dated 8th September, 1849, 28th June, 1850, and 9th September, 1850, respectively, were issued accordingly. These Orders, as well as a General Order of 5th September, 1840, which provided for the insertion of the name of the Baronies and Half-Baronies after the name of each townland situate in it, in the then existing Rate-Books, (in pursuance of § 107 of the last-named Act), were inserted in former Editions of this work. All the previous Orders are superseded by that of 9th September, 1850, which is inserted in the present Volume, being the Order now in force.

The form of Poor Rate to be used for property in Boroughs or Towns alluded to in the foregoing provision referring to the Municipal Corporations Act, is still, under the provisions of the 10th section of 6 & 7 Vic. c. 92, different from that to be used in other cases. But in cases where the Rateable Hereditaments in an Electoral Division are comprised partly in a Borough or a portion of a Borough, and partly not in such Borough, the “Form No. 2, (Borough Form)” can be adopted for the whole of the Electoral Division; though it will not be necessary that the Column headed “Landlords’ Repairs and Insurances” should be filled up in respect to any Rateable Properties but such as are within the Borough. In Unions comprising any such Borough or Town there will therefore be two forms of poor-rate in use; one for the Electoral Division or Divisions comprising the Borough or Town, or any part of it, (Form 2,) and the other the general form for the other Divisions of the Union, (Form 1).

PART II. 6.

FORMS OF
RATE BOOKS:
GENERAL
ORDER OF
9 SEPT. 1850.

GENERAL ORDER OF 9TH SEPTEMBER, 1850,

PRESCRIBING

FORMS OF RATE BOOKS

FOR

POOR RATES.

TO THE GUARDIANS OF THE POOR of the several
Unions named in the Schedule hereunto an-
nexed^a:

TO THE CLERK OR CLERKS TO THE JUSTICES OF
THE PETTY SESSIONS held for the Division or
Divisions in which the Townlands and Places
comprised within the said Unions are situated :

AND TO ALL OTHERS WHOM IT MAY CONCERN :

WE, THE COMMISSIONERS FOR ADMINISTERING THE
LAWS FOR RELIEF OF THE POOR IN IRELAND
send greeting :

WHEREAS in pursuance of the provisions of the
Acts in force for the Relief of the Destitute Poor
in Ireland, and of an Act passed in the Thirteenth
Year of the Reign of Her present Majesty, Queen
Victoria, intituled, "An Act to authorize a further
Advance of Money to certain distressed Poor Law
Unions, and to make provision for the Repayment
of Advances made and authorized to be made to
Poor Law Unions and other Districts, in *Ireland*^b,"
We, the Commissioners for administering the Laws
for Relief of the Poor in Ireland, by a certain
General Order under our Seal, bearing date the
Twenty-eighth day of June last^c, did prescribe the
Forms in which Rates should thereafter be made
in the several Unions in Ireland, and the particu-
lars which should be contained in the Rate Books
of the same ; and We did direct that a Note should

Consolidated
Annuities
Act,
13 Vic. c. 24.

^a Page 787. The Order applies to all the Unions in Ireland.

^b 13 Vic. c. 24, p. 245.

^c See note, p. 779-80.

FORMS OF
RATEBOOKS:
GENERAL
ORDER OF
9 SEPT. 1850.

6 & 7 Vic. c.
92, § 1.

Parliament-
ary Voters
Act, 13 & 14
Vic. c. 69.

be placed in the first page of every such Rate Book, for the guidance of the Clerk of the Guardians, containing among other things instructions as to the rating of Immediate Lessors of rateable property, the net annual value of which shall not exceed £8, in Electoral Divisions situate wholly or in part in certain Boroughs. under the provision contained in the first Section of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled, "An Act for the further amendment of an Act for the more effectual Relief of the Destitute Poor in Ireland^a:"

AND WHEREAS so much of the said provision in the last-recited Act contained as relates to the said Boroughs, has been repealed by an Act passed in the Session of Parliament held in the Thirteenth and Fourteenth Years of the Reign of Her Majesty, intituled, "An Act to amend the Laws which regulate the Qualification and Registration of Parliamentary Voters in Ireland, and to alter the Law for rating Immediate Lessors of Premises to the Poor Rate in certain Boroughs^b;" and it has been by the said Act enacted, among other things, as follows: "that whenever from and after the passing of this Act, the Net Annual Value of the whole of the Rateable Hereditaments in any Electoral Division situated wholly or in part in any of the Boroughs of Dublin, Cork, Limerick, Belfast, or Waterford, occupied by any Person or Persons having no greater Estate or Interest therein than a Tenancy from year to year, or holding under a Lease or Agreement, Leases or Agreements, made after the passing of the said last-recited Act^a, shall be rated for the Poor Rate under the Value of Eight Pounds, the Rate in respect of such property shall, after the passing of this Act, be made on the Immediate Lessor or Lessors of such Person or Persons; and if at the Time of making any such Rate the name of the Immediate Lessor be not accurately known to the Persons making the Rate,

^a 6 & 7 Vic. c. 92, passed 24 August 1843, (p. 105)

^b 13 & 14 Vic. c. 69, § 116 (p. 338.)

“it shall be sufficient to describe him therein as ‘the Immediate Lessor,’ with or without any name or further addition, and such Rate shall be held to be duly made on him by such description, and shall be recoverable from him accordingly, notwithstanding any error or defect in his name or description, or the entire omission of his name therein.”

FORMS OF
RATE BOOKS:
GENERAL
ORDER OF
9 SEPT. 1850.

AND WHEREAS it is expedient to amend the said General Order in respect to the Note directed to be placed in the Rate Books for the guidance of the Clerk of the Union as aforesaid :

NOW THEREFORE, We, the Commissioners for administering the Laws for Relief of the Poor in Ireland, acting in pursuance of the powers given to us by the said hereinbefore recited Acts, do hereby Order, Direct, and Declare, that every Rate to be made by the Guardians or other Officers competent to the making of a Rate, in every Union named in the Schedule hereunto annexed, shall hereafter be made in one of the Forms hereinafter set forth, as the case may be: that is to say, in all Unions or parts of Unions not comprised within any of the Boroughs named in Schedule A or Schedule B annexed to an Act passed in the Fourth Year of the Reign of Her Majesty, intituled, “An Act for the Regulation of Municipal Corporations in Ireland,” or within any other Town to which a Charter of Incorporation may, under the said Act, be granted^a, the Rate shall be made in the Form No. 1, hereunto annexed^b; and in all Unions or parts of Unions comprised within any of such Boroughs, the Rate shall be made in the Form No. 2, hereunto annexed^c.

3 & 4 Vic.
c. 108.^a

^a See note, p. 779-80.

^b Form No. 1, p. 784-5.

^c Form No. 2, p. 786-7.

Townland, in the^a of _____.

Union.

A RATE for the Relief of the Poor of the _____ Union, made this _____ day of _____ in the Year of our Lord One Thousand Eight Hundred and _____ on a Poundage of _____ in the Pound for Ordinary Expenditure of Electoral Division, deducting Poundage of the Sum (if any) paid or standing to Credit of Townland under Commissioners' Order in pursuance of Sec. 2 of 12 & 13 Vic. c. 104 ^b : _____ in the Pound for Discharge of Liabilities, under Commissioners' Order in pursuance of Sec. 2 of 12 & 13 Vic. c. 104 ^b : _____ in the Pound for Payment of Annuity or Annuities, in pursuance of Secs. 4 and 7 of 13 Vic. c. 14 ^c : _____ Amounting to a Total Poundage of _____ in the Pound.

No.	Name or Situation of Property Rated.	Description of Property Rated; namely, whether Lands, Buildings, open Mines, Commons and rights of Common, profits issuing out of Fishery, Canals, Navigations and rights of Way, and other rights or easements over Lands, and Tolls.	Where Immediate Lessor is Rated, Name of Occupier for whom he is primarily liable for the payment of the Rate.	A. R. P.	£ s. d.	Net Annual Value.	Occupier.	Immediate Lessor of Hereditaments not exceeding £4.	Immediate Lessor of Hereditaments under agreement with Guardians.	Persons receiving Rent in respect of Hereditaments exempt from rating under 1 & 2 Vic. c. 56.	Amount of Rate.	Arrear of former Rates (if any.)	Total.
					£ s. d.						£ s. d.	£ s. d.	£ s. d.

I do hereby Certify that this Rate, in so far as the Value of the Hereditaments therein assessed is concerned, is in conformity with the Valuation now in force for the _____ Union.

This Rate was adopted by the Guardians of the Poor of the _____ Union, at their Meeting of the _____ day of _____ 18____, and allowed by us the same day, having been first certified by the Clerk.

Signed this _____ day
of _____ 18__

*Clerk to the
Guardians.*

*Present at the said Meeting.**

• In the case of a Board of Guardians, the Chairman of the day must be one of the Guardians signing the Rate, and it should so appear upon the Rate.

^a See par. 7 of Instructions in p. 785.

[illegible]

FORMS OF
RATE BOOKS:
GENERAL
ORDER OF
9 SEPT. 1850.

NOTE to be placed in the first page of every Rate Book in Form No. 1^a, for the guidance of the Clerk of the Guardians.

1. If the name of any Immediate Lessor who is rated because the net annual value of the Property does not exceed £4, is not accurately known, the words "Immediate Lessor" must be entered in the proper column instead of the name.

2. Before rating any Immediate Lessor on the above ground, it must be ascertained that the Occupier of the Tenement does not occupy any Rateable Hereditaments in the Union of such annual value as to make the whole exceed £4: if he does, the Occupier of the Tenement and not the Immediate Lessor must be rated for it.

3. Care must be taken not to rate the Immediate Lessor of any Tenement not exceeding £4, wherein the Occupier has a greater Estate or Interest than a Tenancy from year to year, unless that interest has been created by any Lease or Agreement made since the passing of the Act 6 & 7 Vic. cap. 92, (24th August, 1843,) in which latter case the Immediate Lessor must be rated.

4. Where the Immediate Lessor is rated in virtue of an Agreement with the Guardians, he must be rated by his name.

5. In the case of Hereditaments exempt from Rating under the Act 1 & 2 Vic. c. 56, the amount of Rent received by any person in respect of the same, should be inserted in the column headed "Net Annual Value," and the sum to be inserted in the column headed "Amount of Rate," must, in respect of such Hereditaments, be calculated on the amount of such Rent at one-half the Poundage of the Rate.

6. The name of the Townland is to be inserted at the head of each page which contains any of the tenements in such Townland; and wherever the rating of tenements in another Townland commences, the name of such Townland is to be inserted as a heading: and the proper Poundages for each Townland are to be stated after such heading.

7. After the name of each Townland, where mentioned in the Rate Book, must be stated the name of the Barony or Half-Barony, as the case may be, in which it is situate.

Form No. 2 — (Borough Form.)

_____ Union, _____ Electoral Division, _____ Townland, in the^a _____ of _____
 A RATE for the Relief of the Poor of the _____ Union, made this _____ day of _____, in the Year of our Lord One Thousand
 _____ in the Pound for Ordinary Expenditure of Electoral Division, deducting Poundage of the Sum (if any) paid or standing to
 Credit of Townland under Commissioners' Order in pursuance of Sec. 2 of 12 & 13 Vic. c. 104^b:
 _____ in the Pound for Discharge of Liabilities, under Commissioners' Order in pursuance of Sec. 2 of 12 & 13 Vic. c. 104^b:
 _____ in the Pound for Payment of Annuity or Annuities, in pursuance of Secs. 4 and 7 of 13 Vic. c. 14^c:
 Amounting to a Total Poundage of _____ in the Pound.

PERSONS ON WHOM THE RATE IS MADE.													
No.	Name or Situation of Property Rated.	Description of Property Rated; namely, whether Lands, Mines, Commons and rights of Common, profits issuing out of Lands, rights of Fishery, Canals, Navigations and rights of Navigation, rights of Way, and other rights or easements over Lands, and Tolls.	Where Immediate Lessor is Rated, Name of Occupier for whom he is primarily liable for the payment of the Rate.	Estimated Extent of Land, Statute Measure	Land-lords' Rents and Insurances.	Net Annual Value.	Occupier.	Immediate Lessor of Hereditaments for which the Occupier is not liable to be rated.	Immediate Lessor of Hereditaments under agreement with Guardians.	Person receiving Rent in respect of Hereditaments exempt from rating under 1 & 2 Vic. c. 56.	Amount of Rate.	Arrear of former Rates (if any).	Total.

I do hereby Certify that this Rate, in so far as the Value of the Hereditaments therein assessed is concerned, is in conformity with the Valuation now in force for the _____ Union.

Signed this _____ day of _____ 18—, { Clerk to the Guardians.

This Rate was adopted by the Guardians of the Poor of the Union, at their Meeting of the _____ day of _____ 18—, and allowed by us the same day, having been first certified by the Clerk.

Present at the said Meeting.*

* In the case of a Board of Guardians, the Chairman of the day must be one of the Guardians signing the Rate, and it should so appear upon the Rate.

^a See par. 7 of Instructions in p. 787. ^b See note ^b in p. 784. ^c See note ^c in p. 784.

NOTE to be placed in the first page of every Rate Book in Form No. 2^a, for the guidance of the Clerk of the Guardians.

FORMS OF
RATEBOOK :
GENERAL
ORDER OF
9 SEPT. 1850.

1. If the name of any Immediate Lessor who is rated because the net annual value of the Property does not exceed £4 or does not amount to £8, as the case may be, is not accurately known, the words "Immediate Lessor" must be entered in the proper column instead of the name.

2. Before rating any Immediate Lessor on the above ground, it must be ascertained that the Occupier of the Tenement does not occupy any Rateable Hereditaments in the Union, of such annual value as to make the whole exceed £4, or if the Rate be for an Electoral Division containing any part of any of the Boroughs of Dublin, Cork, Limerick, Belfast, or Waterford, named in the Schedule to the Act 6 & 7 Victoria, cap. 92, it must be seen that he does not occupy Hereditaments amounting to £8 net annual value in that *Electoral Division*: in either of such cases, the Occupier of the Tenement, and not the Immediate Lessor, must be rated for it.

3. Care must be taken not to rate the Immediate Lessor of any Tenement not exceeding £4, or not amounting to £8, as the case may be, wherein the Occupier has a greater Estate or Interest than a Tenancy from year to year, unless that interest has been created by any Lease or Agreement made since the passing of the Act 6 & 7 Vic. cap. 92, (24th August, 1843,) in which latter case the Immediate Lessor must be rated.

4. Where the Immediate Lessor is rated in virtue of an Agreement with the Guardians, he must be rated by his name.

5. In the case of Hereditaments exempt from Rating under the Act 1 & 2 Vic. cap. 56, the amount of Rent received by any person in respect of the same, should be inserted in the Column headed "Net Annual Value," and the sum to be inserted in the column headed "Amount of Rate," must, in respect of such Hereditaments, be calculated on the amount of such Rent at one-half the Poundage of the Rate.

6. The name of the Townland is to be inserted at the head of each page which contains any of the tenements in such Townland; and wherever the rating of tenements in another Townland commences, the name of such Townland is to be inserted as a heading: and the proper Poundages for each Townland are to be stated after such heading.

7. After the name of each Townland where mentioned in the Rate Book, must be stated the name of the Barony or Half Barony, as the case may be, in which it is situate.

SCHEDULE.

NAMES OF UNIONS^b.

Abbeyleix,	Ballinrobe,	Banbridge,	Callan,
Antrim,	Ballycastle,	Bandon,	Carlow,
Ardee,	Ballymahon,	Bantry,	Car.-macross,
Armagh,	Ballymena,	Bawnboy,	Car.-on-Shan.
Athlone,	Ballymoney,	Belfast,	Car.-on-Suir,
Athy,	Ballyshannon,	Belmullet,	Cashel,
Bailieborough,	Ballyvaghan,	Borrisokane,	Castlebar,
Ballina,	Balrothery,	Boyle,	Castleblaney,
Ballinasloe,	Baltinglass,	Caherciveen,	Castlecomer,

^a Page 786.

^b The Order applies to all the Unions in Ireland.

FORMS OF
RATEBOOKS:
GENERAL
ORDER OF
2 SEPT. 1850.

Castlederg,	Dunmanway,	Lisburn,	Omagh,
Castlereagh,	Dunshaughlin,	Lismore,	Oughterard,
Castletown,	Edenderry,	Lisnaskea,	Parsonstown,
Castletowndel-	Ennis,	Listowel,	Portumna,
vin,	Enniscorthy,	Londonderry,	Rathdown,
Cavan,	Enniskillen,	Longford,	Rathdrum,
Celbridge,	Ennistymon,	Loughrea,	Rathkeale,
Claremorris,	Fermoy,	Lowtherstown,	Roscommon,
Clifden,	Galway,	Lurgan,	Roscrea,
Clogheen,	Glenamaddy,	Macroom,	Scariff,
Clogher,	Glenties,	Magherafelt,	Shillelagh,
Clonakilty,	Glin,	Mallow,	Skibbereen,
Clones,	Gorey,	Manorhamilton	Skull,
Clonmel,	Gort,	Midleton,	Sligo,
Coleraine,	Gortin,	Milford,	Strabane,
Cookstown,	Granard,	Millstreet,	Stranorlar,
Cootehill,	Inishowen,	Mitchelstown,	Strokestown,
Cork,	Kanturk,	Mohill,	Swineford,
Corrofin,	Kells,	Monaghan,	Thomastown,
Croom,	Kenmare,	Mount Bellew,	Thurles,
Dingle,	Kilkeel,	Mountmelick,	Tipperary,
Donaghmore,	Kilkenny,	Mullingar,	Tobercurry,
Donegal,	Killadysert,	Naas,	Tralee,
Downpatrick,	Killala,	Navan,	Trim,
Drogheda,	Killarney,	Nenagh,	Tuam,
Dromore, West	Kilmacthomas,	Newcastle,	Tulla,
Dublin, North,	Kilmallock,	Newport,	Tullamore,
Dublin, South,	Kilrush,	New Ross,	Ullingford,
Dundalk,	Kinsale,	Newry,	Waterford,
Dunfanaghy,	Larne,	Newtownards,	Westport,
Dungannon,	Letterkenny,	N.T. Limavady	Wexford,
Dungarvan,	Limerick,	Oldcastle,	Youghal.

Sealed with our Seal, this Ninth Day of
September, in the Year of Our Lord One
(L.S.) Thousand Eight Hundred and Fifty.

(Signed)

WM. M. SOMERVILLE,

Chief Secretary to the Lord Lieutenant.

T. N. REDINGTON,

Under Secretary to the Lord Lieutenant.

JOHN BALL,

*Assistant Commissioner acting under a
delegation of all the functions, powers,
and duties of the Chief Commissioner.*

CLARENDON.

I, GEORGE WILLIAM FREDERICK, EARL OF CLARENDON, Lord Lieutenant-General and General Governor of Ireland, do hereby approve this Order.

By His Excellency's Command,

WM. M. SOMERVILLE.

FORMS OF RATE-BOOK, AND FORM OF COLLECTORS' CIRCULARS.
 BOOK:—EXTRACT FROM COMMISSIONERS' CIRCULAR OF 1ST JULY, 1850, TO CLERKS OF UNIONS.

Forms of
Rate-Book.
and Form of
Collectors'
Book.

POOR LAW COMMISSION OFFICE, DUBLIN,
1st July, 1850.

Whenever, in pursuance of the provisions of 12 & 13 Vic., c. 104, § 2, the adjustment of liabilities in consequence of any alteration of the boundaries of the Union of which you are Clerk, or of the Electoral Divisions thereof, shall have been finally determined and direction given for the levy of the amount required for the purpose, it will be necessary that the poundage of the rate should be inserted in the heading of the Rate-Book in the place provided in the Form. And in like manner, whenever an Order shall have been issued, under the provisions of 13 Vic., c. 14, setting forth the amount to be levied for the repayment of advances made to any Electoral Division or Townland or other District of the Union, the poundage to be assessed upon each Townland named in such Order, will have to be specified in the heading of the Rate in the place marked for the purpose in the Form.

It will be necessary that a separate portion of the Rate-book should be devoted to each Townland in the Union. It may be advisable in many cases to allot a separate leaf of the Rate-Book to each Townland, but this may not be necessary in all cases. You will however take care in preparing the Rate-Books, that the name of every Townland and the particulars of the poundage or poundages assessed thereon are duly inserted at the commencement of the portion of the Book relating to the particular Townland, as directed in paragraph 6 of the Instructions contained in the accompanying Order^a.

You will likewise take care to insert in every case, after the name of each Townland in the Union, whether chargeable with any sums under the above provisions or not, the name of the Barony or Half Barony, as the case may be, in which the Townland is situate.

^a Pages 785, 787.

CIRCULARS.

Forms of
Rate-Books,
and Form of
Collectors'
Book.

In the column headed "Amount of Rate," is to be inserted the amount according to the total poundage set forth in the heading of the Rate, except where the "person receiving rent in respect of hereditaments exempt from rating under 1 & 2 Vic. c. 56," is rated in respect of such rent, under sec. 10 of 12 & 13 Vic. c. 104, in which case such person is to be rated to the extent of only half the poundage on the Townland in which the property is situate.

The Commissioners have likewise deemed it necessary to revise the Form of Collecting Book at present in use, so that it may be adapted to the new Form of Rate; and they forward herewith a Form to be hereafter used for this Book^a. It will be necessary in preparing the Collecting Book to devote a separate portion of it to each Townland, and to specify therein the name of the Townland, and the total poundage assessed upon it, as in the Rate-Book. And you will take care that the Collecting Book for each Electoral Division shall be prepared in future in this manner and in the form herein directed to be used.

^a For Form of Collecting Book as since prescribed by Accounts Order of 3rd April, 1853, see Form 25, p. 730: for Regulations relating to same, see General Regulations of 19 January, 1852, Article 49, No. 1 (p. 631); and Accounts Order, § iv. Article 1 (p. 698).

GENERAL ORDER OF 12TH JANUARY, 1853,

PRESCRIBING

FORMS OF NOTICES

NOTICE OF
RATES:
GENERAL
ORDER OF
12 JAN. 1853.

TO BE GIVEN BEFORE AND AFTER A RATE IS MADE,
AND MODE OF PUBLICATION THEREOF.

TO THE GUARDIANS OF THE POOR of each of the
Unions named in the Schedule hereunto an-
nexed^a, and to all other Persons whom it may
concern:

WHEREAS, by an Act passed in the First and 1 & 2 Vic. c.
Second Years of the Reign of Her present Majesty, 56.
intituled, "An Act for the more effectual Relief of
the Destitute Poor in Ireland," it is enacted, that
before any Rate shall be levied, the Guardians shall,
in such form and manner as the Commissioners
shall direct, publish a Notice of the same having
been made^b.

And whereas, by another Act passed in the 12 & 13 Vic.
Twelfth and Thirteenth Years of the Reign of Her c. 104.
said Majesty, intituled, "An Act to amend the
Acts for the more effectual Relief of the Destitute
Poor in Ireland," it is enacted, that the Guardians
of the Poor of the several Unions shall, before the
making of every Rate, leave the Rate-books open
for the Inspection of any Rate-payer between the
hours of Ten in the Forenoon and Four in the
Afternoon, during Fourteen Days at the least
before the making of every such Rate, and that the
Guardians shall give the same Public Notice of the
deposit of such Rate-books for inspection, as they
are now required to give in relation to the making
of such Rates^c.

NOW THEREFORE, We the Commissioners for

^a Page 796. The order applies to all the Unions in Ireland.

^b § 70 of Irish Poor Relief Act, 1 & 2 Vic. c. 56, (p. 53).

^c § 21 of Amendment Act of 1849, 12 & 13 Vic. c. 104, (p. 199).

NOTICE OF
RATES:
GENERAL
ORDER OF
12 JAN. 1853.

Notice before
signing of
Rate:
Form No. I.

Notice after
signing of
Rate:
Form No. II.

Mode of
Publication
of Notices.

Rescinding
of previous
orders in this
matter.

administering the Laws for Relief of the Poor in Ireland, do hereby, in pursuance of the provisions of the said recited Acts, direct as follows:—

1. The Notice of the Deposit of the Rate-books for inspection, required by law to be given before the signing of the Rate, shall be in the Form No. I, to this Order annexed^a, or as near thereto as the circumstances will admit.

2. Notice of the Rate having been made shall be published in respect to every Rate before the same shall be levied, and such Notice shall be in the Form No. II, to this Order annexed^b, or as near thereto as the circumstances will admit.

3. Such Notices shall be published in every Electoral Division of the Union on which such Rate may be made, or intended to be made, in the accustomed mode of giving Public Notices in such Electoral Division, by Posting it on or near to the principal Doors of every Church and Chapel in such Electoral Division.

And We do hereby rescind so much of every Order heretofore issued by the Poor Law Commissioners, or by the Commissioners for administering the Laws for Relief of the Poor in Ireland, as is in any way affected or altered by this Order.

FORM I.

NOTICE TO BE GIVEN WHEN A RATE IS PREPARED, AND
BEFORE IT IS SIGNED.

————— Union.

NOTICE THAT RATE-BOOKS ARE OPEN FOR INSPECTION
OF RATE-PAYERS.

Notice is hereby given, that Rates, as hereunder mentioned, are about to be made on the Property situated in the under mentioned Electoral Divisions of the above-named Union, rateable under the Provisions of the Acts for the Relief of the Destitute Poor in Ireland.

¹ *These words to be omitted when the Rate is for ordinary purposes only, and is not required to include any provision for Annuities or under the Adjustment Order.*

The Rates for the ordinary Expenditure of the several Electoral Divisions [subject to the additions and deductions hereinafter mentioned¹] are as follow :—

NOTICE OF
RATES :
GENERAL
ORDER OF
12 JAN. 1853.
1. Notice before signing of Rate.

Electoral Division of a Rate of in the Pound.
Electoral Division of a Rate of in the Pound.

[²And Whereas Annuities have been charged upon certain Electoral Divisions, Townlands, Denominations, or Places, comprised in the said Union, under the provisions of the Act 13 Vic., c. 14, additions to the above-mentioned Rates will be made for the purpose of providing for the payment of such Annuities, in accordance with the Provisions of the 4th Section of the said last-mentioned Act²].

² *This Clause is only to be inserted when provision is to be made for payment of the Consolidated Annuities^a.*

[³And Whereas, by an Order under the Seal of the Commissioners for administering the Laws for the Relief of the Poor in Ireland, dated the

, provision is made for the Adjustment of the Liabilities of the several Townlands comprised in the said Union, on the change of Boundaries which took place in pursuance of the Order of the said Commissioners, dated the , and for indemnifying such Townlands for any loss or exchange of property occasioned by such alteration of Boundaries ; and by the said first-mentioned Order the Balances standing in favour of or against the several Townlands of the said Union, on such adjustment and indemnification, are declared and set forth. The amount of such Balances (when they are in favour of the Townlands) will be deducted from the amount to be levied on such Townlands in respect of the Rate to be made as hereinbefore mentioned on the Electoral Divisions in which such Townlands are respectively comprised ; and the amount of such Balances (where they are against the Townlands)

³ *This Clause is only to be inserted when a Special Rate or a Deduction from the Ordinary Rate is made under the Adjustment Order.*

^a See note ^a in p. 249 : and note ^c in p. 784.

NOTICE OF
RATES :
GENERAL
ORDER OF
12 JAN. 1853.

1. Notice be-
fore signing
of Rate.

will be added to and levied with the amount to be levied on such Townlands in respect of the Rate to be made as hereinbefore mentioned on the Electoral Divisions in which such Townlands are respectively comprised^a.]

The Rate-books are deposited for the inspection of any Rate-payer at _____ and will be there open for such inspection, between the hours of Ten o'clock in the Forenoon and Four o'clock in the Afternoon, during the Fourteen Days next ensuing the date hereof, exclusive of Sundays.

Signed this _____ day of _____ 18

Clerk of the _____ Union.

FORM II.

2. Notice
after signing
of Rate.

NOTICE TO BE GIVEN WHEN RATES HAVE BEEN MADE.
_____ Union.

NOTICE OF RATES HAVING BEEN MADE.

Notice is hereby given, that Rates have been duly made on the Property situated in the under-mentioned Electoral Divisions of the above-named Union, rateable under the Provisions of the Acts for the Relief of the Destitute Poor in Ireland.

¹ These words to be omitted when the Rate is for ordinary purposes only, and is not required to include any provision for Annuities, or under the Adjustment Order.

The Rates for the ordinary expenditure of the several Electoral Divisions [subject to the additions and deductions hereinafter mentioned¹] are as follow :—

Electoral Division of _____	a Rate of _____	in the Pound.
Electoral Division of _____	a Rate of _____	in the Pound.

[²And Whereas Annuities have been charged upon certain Electoral Divisions, Townlands, Denominations, or Places comprised in the said Union, under the provisions of the Act 13 Vic., c. 14, additions to the above-mentioned Rates have been made for the purpose of providing for the payment of such Annuities, in accordance with the provisions of the 4th Section of the said last-mentioned Act²].

³ This Clause is only to be inserted when provision is to be made for payment of the Consolidated Annuities³.

^a See Instruction ³ on the Form of Notice, in p. 793.

^b See note ^a in p. 249 : and note ^c in p. 784.

[³And Whereas, by an Order under Seal of the Commissioners for administering the Laws for Relief of the Poor in Ireland, dated the

NOTICE OF
RATES:
GENERAL
ORDER OF
12 JAN. 1853.

, provision is made for the Adjustment of the liabilities of the several Townlands comprised in the said Union on the change of Boundaries which took place in pursuance of the Order of the said Commissioners dated the

, and for indemnifying such Townlands for any loss or exchange of property occasioned by such alteration of Boundaries; and by the said first-mentioned Order the Balances standing in favour of or against the several Townlands of the said Union, on such adjustment and indemnification, are declared and set forth. The amount of such Balances (where they are in favour of the Townlands) have been deducted from the amount to be levied on such Townlands in respect of the Rate made, as hereinbefore mentioned, on the Electoral Divisions in which such Townlands are respectively comprised; and the amount of such Balances (where they are against the Townlands) has been added to and will be levied with the amount to be levied on such Townlands in respect of the Rate made, as hereinbefore mentioned, on the Electoral Divisions in which such Townlands are respectively comprised³].

The Rate-books are now in my custody, and may be inspected by any person affected thereby, at _____, on any day except Sunday, between the hours of Ten o'clock in the Forenoon and Four o'clock in the Afternoon; and the said Rates will be payable from and after the publication of this Notice.

Signed this _____ day of _____ 18

Clerk of the _____ Union.

[SCHEDULE

2. Notice
after signing
of Rate.

SCHEDULE:—NAMES OF UNIONS*.

Abbeyleix	Cavan	Gortin	Navan
Antrim	Celbridge	Granard	Nenagh
Ardee	Claremorris	Inishowen	Newcastle
Armagh	Clifden	Kanturk	Newport
Athlone	Clogheen	Kells	New Ross
Athy	Clogher	Kenmare	Newry
Bailieborough	Clonakilty	Kilkeel	Newtownards
Ballina	Clones	Kilkenny	N.T. Limavady
Ballinasloe	Clonmel	Killadysert	Oldcastle
Ballinrobe	Coleraine	Killala	Omagh
Ballycastle	Cookstown	Killarney	Oughterard
Ballymahon	Cotehill	Kilmaethomas	Parsonstown
Ballymena	Cork	Kilmallock	Portumna
Ballymoney	Corrofin	Kilrush	Rathdown
Ballyshannon	Croom	Kinsale	Rathdrum
Ballyvaghan	Dingle	Larne	Rathkeale
Balrothery	Donaghmore	Letterkenny	Roscommon
Baltinglass	Donegal	Limerick	Roscrea
Banbridge	Downpatrick	Lisburn	Scariff
Bandon	Drogheda	Lismore	Shillelagh
Bantry	Dromore, West	Lisnaskea	Skibbereen
Bawnboy	Dublin, North	Listowel	Skull
Belfast	Dublin, South	Londonderry	Sligo
Belmullet	Dundalk	Longford	Strabane
Borrisokane	Dunfanaghy	Loughrea	Stranorlar
Boyle	Dungannon	Lowtherstown	Strokestown
Caherciveen	Dungarvan	Lurgan	Swineford
Callan	Dunmanway	Macroon	Thomastown
Carlow	Dunshaughlin	Magherafelt	Thurles
Carrickmacross	Edenderry	Mallow	Tipperary
Car.-on-Shan.	Ennis	Manorhamilton	Tobercurry
Car.-on-Suir	Enniscorthy	Midleton	Tralee
Cashel	Enniskillen	Milford	Trim
Castlebar	Ennistymon	Millstreet	Tuam
Castleblayney	Fermoy	Mitchelstown	Tulla
Castlecomer	Galway	Mohill	Tullamore
Castlederg	Glennamaddy	Monaghan	Urlingford
Castlerea	Glenties	Mount Bellew	Waterford
Castletown	Glin	Mountmellick	Westport
Castletowndel-	Gorey	Mullingar	Wexford
vin	Gort	Naas	Youghal

Sealed with our Seal, this Twelfth Day of January, in the Year of our Lord One Thousand (L.S.) Eight Hundred and Fifty-three.

(Signed)

A. POWER,
E. SENIOR.

THOS. LEFROY, *Ch. J., L. J.*

WE, the Lords Justices, General Governors of Ireland, do hereby approve this Order.

By Command of the Lords Justices,
JOHN WYNNE.

* The order applies to all the Unions in Ireland.

PART II.

7.—SCHOOL DISTRICTS.

ORDERS COMBINING UNIONS

INTO

SCHOOL DISTRICTS,

AND REGULATING THE

RATE OF PAYMENT

BY

UNIONS IN SUCH DISTRICTS.

WITH CIRCULARS OF INSTRUCTIONS.

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PART II. 7.

ORDER COMBINING UNIONS

INTO A

SCHOOL DISTRICT;

SCHOOL
DISTRICTS
ORDERS.Combining
Unions into
Districts.

for the Maintenance and Education of Children not above the Age of Fifteen Years, being Inmates of the Workhouses of such Unions respectively, (in pursuance of § 2 of 11 & 12 Vic. c. 25.)

To the Guardians of the Poor of the Unions of BALLINA, BELMULLET, and KILLALA^a; and to all others whom it may concern:

WHEREAS We have ascertained that there is room in the Workhouse of Ballina Union, not only for the maintenance and education of children not above the age of fifteen years at present chargeable or likely to become chargeable to the said Union or to any Electoral Division thereof, but also for the maintenance and education of children not above the age of fifteen years at present chargeable or likely to become chargeable to the Unions of Belmullet and Killala, or to any Electoral Division thereof; and it is expedient therefore to combine the said Unions for the maintenance and education of children not above the age of fifteen years, being inmates of the Workhouses of such Unions respectively.

Now therefore, We, the Commissioners for administering the Laws for Relief of the Poor in Ireland, do hereby, in pursuance of the powers vested in us in that behalf, Order and Declare that the said several Unions of Ballina, Belmullet, and Killala shall, from and after the Twenty-fifth day of March

^a Similar Orders have been issued, (up to the date of the Commissioners' *Eighth Annual Report*, 1855,) combining the 13 undermentioned Unions into 4 School Districts: namely,—

Unions of Ballina, Belmullet, and Killala; having Ballina Union for the centre of the District:

Unions of Monaghan, Clones, and Castleblayney; having Monaghan Union for centre:

Unions of Donegal, Ballyshannon, Glenties, and Stranorlar; having Donegal Union for centre:

Unions of Enniskillen, Lisnaskea, and Lowtherstown; having Enniskillen Union for the centre of the District

For Order issued to the same Unions from time to time, declaring the daily Rate of Payment to be made to the Union to which the children are sent by the other Unions in the District, see p. 803.

**SCHOOL
DISTRICTS
ORDERS.**

Combining
Unions into
Districts.

instant, be combined for the maintenance and education of children not above the age of fifteen years, being inmates of the Workhouses of the said several Unions respectively. And We do hereby authorize the Guardians of the said Unions of Belmullet and Killala respectively, as and when they shall see fit, to send to the Workhouse of the said Union of Ballina all such children not above the age of fifteen years as shall be admitted to the Workhouses of the said Unions of Belmullet and Killala respectively, and to charge the cost of so sending and removing such children, to the Electoral Division or to the Union at large, as the case may be, to which relief afforded to such children would by law be chargeable.

And We do hereby Order and Direct that a Board of Management for the conduct of the said school shall be established, and that such Board of Management shall consist of the Board of Guardians of Ballina Union, of the Chairman, Vice-Chairman, and Deputy Vice-Chairman, together with six other Guardians of Belmullet Union, to be chosen by the Board of Guardians of the said Belmullet Union in manner hereinafter mentioned; and of the Chairman, Vice-Chairman, and Deputy Vice-Chairman, together with six other Guardians of Killala Union, to be chosen by the Board of Guardians of the said Killala Union in like manner.

And We do hereby Order and Direct that the members of the Board of Management so to be chosen by the Guardians of Belmullet and Killala Unions respectively, shall be at liberty to attend the meetings of the Board of Guardians of Ballina Union, and to take part in the proceedings of the said Board so far as the same shall relate to the management of the said school, and to vote on all questions relating to the management of the school and the appointment of Officers thereof.

And We do hereby Order and Direct, that for each child belonging to the Unions of Belmullet and Killala respectively, a sum certain per diem shall be paid to the Guardians of Ballina Union, to be paid and regulated from time to time in such manner as We shall direct^a, on account of the maintenance and education of such child in the Workhouse

^a Order regulating Rate of Payment, p. 803.

of Ballina Union ; and such sum, and all other expenses incurred in reference to such child individually, shall be debited to the Electoral Division or Union, as the case may be, to which such child shall be chargeable.

SCHOOL
DISTRICTS
ORDERS.

Combining
Unions into
Districts.

And We do hereby further Order and Direct that, at the commencement of every quarter, the Board of Management shall cause an estimate to be made of the probable amount of the demand for all charges to be defrayed within the quarter on account of the said school, and of the proportion thereof which will be chargeable to the said Unions of Belmullet and Killala, and shall transmit a copy thereof to the Guardians of the said Unions of Belmullet and Killala ; and the Guardians of the said Unions of Belmullet and Killala shall, within seven days from the receipt of such estimate, pay over to the Guardians of Ballina Union the amount therein stated to be chargeable to the said Unions of Belmullet and Killala respectively : and all such payments shall be deemed to be on account of the sums which may be found to be payable to the Guardians of Ballina Union at the close of the half year, according to the daily rate of payment for each child, to be fixed and regulated by us as aforesaid ; and the balance due, if any, at the close of the half year by the Guardians of the Belmullet and Killala Unions, shall be payable to the Guardians of Ballina Union within seven days after notice thereof ; and the balance in favour of the said Guardians of the Belmullet and Killala Unions, if any, shall be carried forward to meet the proportion payable, as hereinbefore directed, of the next Quarterly Estimate.

And We hereby Order and Direct that the Discharge of any child belonging to either of the Unions of Belmullet or Killala, and maintained in the Workhouse of the Ballina Union, shall take place only after the removal of such child back to the Union to which it shall belong, and from which it was conveyed to the Workhouse of Ballina Union.

And We do hereby further Order and Direct that the several Orders under our Seal which are now in force, for regulating the meetings and proceedings of Boards of Guardians, and the appointment and duties of Union Officers,—for regulating the

Part II. 2.

Part II. 3.

Part II. 4.

**SCHOOL
DISTRICTS
ORDERS.**

Combining
Unions into
Districts.

management of Workhouses and the duties of Workhouse Officers,—and for regulating the keeping and auditing of Accounts*,—shall, so far as the same are applicable thereto, regulate and govern the proceedings of the said Board of Management, and the appointment and duties of the Officers and Assistants of the said School, and the keeping of the accounts thereof, as fully as if the said several regulations were set forth in this Order.

And We do hereby Order and Direct that the Guardians to be chosen by the said Unions of Belmullet and Killala to be members of the said Board of Management, shall be chosen annually at the first meeting after the Annual Election of Guardians, in the same manner as the Chairman, Vice-Chairman, and Deputy Vice-Chairman of the said Board of Guardians are respectively elected, and the persons so chosen Members of the said Board of Management shall continue to be Members of the said Board until the next Annual or General Election of Guardians shall take place, unless they shall previously die, resign, or become incapable, or be disqualified by ceasing to be Guardians of the Union. And in the event of any vacancy occurring in the said Board of Management by reason of any of the causes aforesaid, the Guardians of the Union for which the Guardian so dying, resigning, or becoming incapable or disqualified by ceasing to be a Guardian as aforesaid, was chosen, shall within one month after the occurrence of the vacancy, choose some other Guardian to be a Member of the said Board of Management in place of the Guardian so dying, resigning, or becoming incapable or disqualified as aforesaid.

Sealed with our Seal, this Twentieth Day of March, in the year of our Lord One Thousand (L.S.) sand Eight Hundred and Fifty-five.

(Signed) A. POWER,
E. SENIOR.

MAZIERE BRADY, C.

WE, the Lords Justices, General Governors of Ireland, do approve this Order.

By Command of the Lords Justices,

THOS. A. LARCOM.

* For further Instructions as to Accounts for School Districts, see two Circulars of 10th September, 1855 (p. 805, 806).

ORDER DECLARING

THE

DAILY RATE OF PAYMENT

SCHOOL
DISTRICTS
ORDERS.Regulating
Payments.

to be made by the Guardians of the Unions of Belmullet and Killala, to the Guardians of Ballina Union, for Maintenance and Education of Children of those Unions in the Ballina Workhouse^a.

To the Guardians of the Poor of the Unions of BALLINA, BELMULLET, and KILLALA^a, and to all others whom it may concern :

WHEREAS, by an Order under our Seal, bearing date the Twentieth day of March, 1855^b, and addressed to the Guardians of the Poor of the Unions of Ballina, Belmullet, and Killala, We, the Commissioners for administering the Laws for Relief of the Poor in Ireland, have declared the said Unions to be combined for the maintenance and education of children not above the age of fifteen years, being inmates of the Workhouses of the said Unions respectively, and We have authorized the Guardians of the said Unions of Belmullet and Killala respectively, as and when they shall see fit, to send to the Workhouse of the said Union of Ballina, all such children, not above the age of fifteen years, as shall be admitted to the Workhouses of the said Unions of Belmullet and Killala respectively, and to charge the cost of so sending and removing such children, to the Electoral Division, or to the Union at large, as the case may be, to which relief afforded to such children would by law be chargeable :

And Whereas We have among other things further Ordered and Directed, that for each child belonging to the Unions of Belmullet and Killala respectively, a sum certain per diem shall be paid to the Guardians of Ballina Union, to be paid and regulated, from time to time, in such manner as we shall direct, on account of the maintenance and

^a For List of Unions to which an Order in this Form has been issued, see note in p. 799.

^b Page 799.

SCHOOL
DISTRICTS
ORDERS.
—
Regulating
Payments.

education of such child in the Workhouse of Ballina Union ; and that such sum, and all other expenses incurred in reference to such child individually, shall be debited to the Electoral Division or Union, as the case may be, to which such child shall be chargeable :

And Whereas it seems fit to us to fix the daily rate of payment to be made to the Guardians of Ballina Union for each child belonging to the Unions of Belmullet and Killala respectively, who may be sent to the Workhouse of the Ballina Union as aforesaid :

Now therefore, in exercise of the powers given unto us, We do hereby Order, Direct, and Declare, that the daily rate of payment to be made by the Guardians of the Unions of Belmullet and Killala to the Guardians of the Poor of Ballina Union, for each child belonging to the said Unions of Belmullet and Killala respectively, on account of the maintenance and education of such child in the Workhouse of Ballina Union, shall be the sum of Three Pence and Five-seventh parts of a Penny, subject to any further regulation which may hereafter be made by Us in respect of the same.

And We do hereby further Direct that the difference between the sum so payable in respect of each child and the general average charged for maintenance and clothing in the Workhouse of the Ballina Union, as determined at the close of each half-year, shall be carried to the credit of the several Electoral Divisions of Ballina Union in proportion of their net annual value respectively.

Sealed with our Seal, this Fifteenth Day of May, in the Year of our Lord One Thousand (L.S.) Eight Hundred and Fifty-five.

(Signed)

A. POWER.

CARLISLE.

J. M'DONNELL.

I, GEORGE WILLIAM FREDERICK EARL OF CARLISLE, Lord Lieutenant General and General Governor of Ireland, do approve this Order.

By His Excellency's Command,

THOS. A. LARCOM.

MODE OF KEEPING ACCOUNTS UNDER DISTRICT SCHOOLS ORDERS.

CIRCULARS.

School
District
Accounts.

I.—CIRCULAR TO BOARDS OF GUARDIANS OF UNIONS SENDING CHILDREN.

POOR LAW COMMISSION OFFICE, DUBLIN,
10th September, 1855.

SIR,—Inquiries having been made by Clerks of Unions, in some instances, as to the Accounts to be kept in Unions to which an order has been issued by the Commissioners authorizing the Guardians to send children under the age of fifteen years to the Workhouse of some other Union, for maintenance and education, the Commissioners for administering the Laws for Relief of the Poor in Ireland desire to point out to you the course which they think should be adopted in such cases, in the accounts of the Unions sending the children.

The children, when sent to the receiving Union, should not be discharged from the Registry of the Union sending them, but they should from the Admission and Discharge Book, and consequently from the Relief Lists, Provision Accounts, and other books of the Workhouse. The discharge from the Admission and Discharge Book need not be by name in each individual case, but a book should be kept, entitled “Record of Transfers to the Workhouse of _____ Union, under the Commissioners’ Order of the _____ 1855.” This book may be in the following form :—

RECORD OF TRANSFERS to the Workhouse of _____ Union,
under the Commissioners’ Order of _____ 1855.

No. on Register.	Name.	Age.	Date of Transfer.	To what Electoral Division chargeable.	Date of return to the Workhouse.

This book should be made up weekly, and the number transferred should be entered on the discharge side of the Admission and Discharge Book,

CIRCULARS.

School
District
Accounts.

as "Transferred during the week to the _____ Workhouse;" and in like manner, when necessary, the number who may have returned from the receiving Union should be entered on the admission side, as "Returned from _____ Workhouse during the week."

At the close of the half-year, the Clerk should ascertain from the receiving Union the amount chargeable under the Order, and he should charge that amount to the several Electoral Divisions to which the children belong, according to the collective number of days' relief received by them in the receiving Union, which he will ascertain from the Record of Transfers. To facilitate this, the Clerk of the receiving Union will furnish, at the close of each half-year, a copy of so much of the Relief List of that Union as relates to the paupers sent from the contributory Union.

An account should be opened in the Ledger for the Union to which the children are sent, and that account should be credited, from time to time, with the sums debited to Electoral Divisions on the school account, and debited with the payments from time to time made to the receiving Union.

It seems desirable that, when children are sent from the Workhouse of the contributory Union to that of the receiving Union, a full extract from the registry of the sending Union, showing their age, religious denomination, and all other necessary particulars, should be sent with them.

By Order of the Commissioners,

W. STANLEY, *Secretary.*

To the Clerk of the _____ Union.

II.—CIRCULAR TO BOARDS OF GUARDIANS OF UNIONS RECEIVING CHILDREN.

POOR LAW COMMISSION OFFICE, DUBLIN,
10th September, 1855.

SIR,—Inquiries having been made by Clerks of Unions, in some instances, as to the mode of keeping the accounts in Unions to which children, under the age of fifteen years, are sent from adjoining Unions, under the authority of a District

Schools Order; the Commissioners for administering the Laws for Relief of the Poor in Ireland desire to point out to you the course which they think should be adopted, in the Accounts of the Union receiving children into the Workhouse, under the authority of such an Order.

CIRCULARS.

School
District
Accounts.

When the children are received from the Union sending them, they should be entered on the Register of the receiving Union, and in the Admission and Discharge Book, and other books, precisely as if the Union sending the paupers were an Electoral Division of the Union receiving them. An account for the contributory Union should be opened in the Ledger of the receiving Union, which account should be debited with its proportionate share of maintenance, in the ordinary way, according to the number of days' relief shown to be chargeable to it, and also with a certain sum for establishment charges; this latter sum being the difference between the aggregate amount chargeable for the maintenance of the children during the half-year and the aggregate amount payable for the half-year, according to the daily rate fixed by the Order. Establishment account should be credited with the sum so charged for establishment expenses; and the amount at foot of that account, after deducting this credit, should be apportioned to the Electoral Divisions in the ordinary way, excluding, of course, from this apportionment, the Unions sending the children.

When payments are made by the contributory Union to the receiving Union, the amount must of course be credited to the account opened, as above stated, for the contributory Union.

Immediately after the close of each half-year, the Clerk of the receiving Union should send to the Clerk of each of the contributory Unions, a copy of so much of the Relief List as relates to the paupers sent from such Union.

In the Abstracts (forms 4 A and 5 B) a line should be devoted to each contributory Union, in which the several particulars required by the headings of the columns, should be given, so far as those headings are applicable; and it will be con-

CIRCULARS. venient that the columns in the Abstracts should be totalled before the entry of these lines, which should be placed underneath such totals, and a new total made ; thus showing, first, the totals as regard the Union itself, and then the grand total, including the particulars for the contributory Unions.

School
District
Accounts.

In the returns of Workhouse Inmates made to this office, and entered on the minutes, a note should be given showing the number of paupers included in the return who are chargeable to the contributory Unions. It seems desirable, that when children are sent from the Workhouse of the contributory Union to that of the receiving Union, a full extract from the registry of the sending Union, showing their age, religious denomination, and all other necessary particulars, should be sent with them.

By Order of the Commissioners,

W. STANLEY, *Secretary.*

To the Clerk of ———— Union.

PART II.
8.—VACCINATION.

FORM OF ORDER
OF THE
POOR LAW COMMISSIONERS,
FOR REGULATING
CONTRACTS FOR VACCINATION
UNDER
3 & 4 VIC. CAP. 29.

FORMS.

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VACCINA-
TION ORDER.

PART II. 8.

FORM OF ORDER
FOR REGULATING
CONTRACTS FOR VACCINATION,
UNDER3 & 4 VIC. CAP. 29^a.

To the GUARDIANS of the ——— UNION ; and to
all others whom it may concern.

WHEREAS the Board of Guardians of the ———
Union are about to enter into Contracts for car-
rying into effect the Provisions of the Act passed
in the Session of Parliament held in the Third
and Fourth Years of the Reign of Her Majesty
Queen Victoria, intituled "*An Act to extend the
Practice of Vaccination,*" and have requested
that an Order should be issued by Us, directing
that the said Contracts should be made in the tenor
and form set forth in the Schedule (A) annexed^b to
these presents.

3 & 4 Vic.
c. 29.

Now therefore, We, the Poor Law Commission-
ers, having considered and approved of the said
Form, do hereby Order that the said Form of
Contract shall, so far as the same may be applicable
to the circumstances of each case, be adopted by
the Guardians of the ——— Union in making
Contracts with any Medical Officer of the said
Union, or any other competent Medical Practi-
tioner, under the provisions of the said recited Act.

And We do further Order and Direct, that the
Clerk to the Board of Guardians shall, at the first
Meeting of Guardians in each Month, read over
the total number of successful cases reported by

^a This form of Order was issued from time to time by the
late Poor Law Commissioners, to Unions in Ireland, under the
Vaccination Extension Act of 1840, 3 & 4 Vic. c. 29, (p. 284,) before the passing of the Dispensaries Act of 1851, 14 & 15 Vic. c. 68, (p. 207) :—see notes in p. 217 and 285. Although under § 13 of the latter act, it is no longer *obligatory* on the Guardians of Unions in Ireland to enter into Vaccination Contracts, the provisions of the Vaccination Acts are not repealed, nor these orders revoked ; and there is nothing in the Dispensaries Act expressly forbidding the Guardians to enter into Contracts for Vaccination in Districts for which it may still be necessary from any cause to do so.

^b Page 811.

each such Practitioner; having first made out a Summary of all the Returns, according to the Form in the Schedule (B) annexed^a to these presents, and the Summaries so made and read shall be entered and kept by the Clerk, in a Book to be provided by him for that purpose.

VACCINATION ORDER.

Given under the Hands and Seal of Us, the Poor Law Commissioners, this day of in the Year of Our Lord One Thousand Eight Hundred and Forty.

(L.S.) GEO. NICHOLLS,
G. C. LEWIS,
EDMUND W. HEAD.

SCHEDULE (A.)^b

CONTRACT FOR VACCINATION.

3 & 4 Vict. c. 29,—*An Act to extend the Practice of Vaccination.*

ARTICLES OF AGREEMENT entered into this day of 184 , between¹ of the one Part and the Guardians of the Poor of the Union in the Count of of the other Part.

¹ Name and address of the Medical Officer or Medical Practitioner, describing him as the case may be.

IT IS HEREBY AGREED, and the said doth Contract with the said Guardians and their Successors, that for and during the period of One Year, from and after the day of , he will Vaccinate all Persons who may come to him for that purpose, at the time and place at which he shall in conformity with the terms of this Contract, attend.

And that he will, for the purpose of Vaccinating all such Persons, attend on day in every Week, from the Hour of in the noon, to the Hour of at in the (Parish or Town or Village as the case may be,) of

And that he will, then and there duly Vaccinate all such persons as may be present for the purpose of being Vaccinated and who may not before have been successfully Vaccinated, and do and perform all such other acts and things as may be necessary for the purpose of causing such Vaccination to be successfully terminated.

And that he will keep a Register Book according to the Form I. hereto annexed^c, in which he will duly and punctually enter the several particulars described in the said Form; and will on the day preceding the first Meeting of the Guardians in each Month, deliver to their Clerk the said Book, with the entries made up to the day on which he shall so deliver it.

And that in every case in which the result of Vaccina-

^a Page 814.

^b Page 810.

^c Page 813.

VACCINATION ORDER.
Forms.

tion performed by him under this Contract on any person shall be successful, he will give to such person, or to the Parent, Guardian, or Nurse of such Person, a Certificate of the fact, according to the Form II. hereto annexed*.

And that he will keep a Register, according to the Form III. hereto annexed^b, of all cases of Small Pox which he may attend, and will deliver a Copy of the same to the Clerk of the said Guardians, once in every half-year: namely, on the first day of January and the 1st day of July.

And the said Guardians do, for themselves and their Successors, contract and agree with the said

to pay to the said his Executors, Administrators or Assigns, for every person, *not exceeding 200 in number*², who not having been previously Vaccinated, shall have been successfully Vaccinated under this Contract, and with respect to whom the said

shall have made the entries, and given the Certificate herein described, the sum of one shilling; and for every such person above the number of 200 the sum of six pence²: such payments to be made within one calendar month after the Twenty-fifth day of February, and the Twenty-ninth day of August, respectively, during this Contract, in respect of the persons who may have been so Vaccinated, as aforesaid, within the preceding half-year, commencing on the Twenty-ninth day of August, or the Twenty-fifth day of February, as the case may be.

And it is hereby further agreed between the said and the said Guardians, that this Contract may be put an end to by either of the Parties hereto, on giving Twenty-eight days' notice to the other Party of the intention to put an end to the same, and any sums due in respect of persons so Vaccinated, as aforesaid, between the last previous Twenty-fifth day of February, or Twenty-ninth day of August, as the case may be, and the termination of this Contract, shall be paid within one calendar month after the termination of this Contract.

IN WITNESS whereof the said

hath hereunto set his Hand and Seal, and the said Guardians their common Seal, the day and year first above written.

Signed, Sealed, and delivered } _____ (SEAL.)
by the above named

Signed on behalf of } *Chairman of* } _____ (SEAL.)
the Majority, } *the Meeting*

Guardians present { _____

In the presence of _____ Clerk of the Guardians.

² The words printed in Italics may be omitted where the Guardians consider it advisable. The rate of payment would then be 1s. per case, whatever the number of cases.

FORM III ^a.*Register of Cases of Small Pox attended during the Half-year ended the last day of*

Number.	Date.	Name of Patient.	Place of Residence.	Age.	Description of Case.	Result.	Patient had previously			Where Vaccinated.	By whom Vaccinated.
							Had the Small Pox naturally; when?	Had the Small Pox by inoculation; when?	Been Vaccinated; when?		

(Signed)

SCHEDULE (B) ^b.

SUMMARY OF RETURNS laid before the BOARD of GUARDIANS on the day of 18

Names of Medical Practitioners.		Date. 18 .	Number of Successful Cases Reported.
By			
By			
By			
By			
Total,			

PART II.
9.—DISPENSARIES.

ORDERS AND INSTRUCTIONS, &c.,

RELATING TO

DISPENSARIES,

AND

DUTIES OF OFFICERS,

UNDER

MEDICAL CHARITIES ACT, 14 & 15 VIC. C. 63.

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PART II. 9.—DISPENSARIES.

REQUISITION TO BOARDS OF GUARDIANS

TO FORM

DISPENSARY DISTRICTS,

IN PURSUANCE OF 14 & 15 VIC., C. 68, § 6: ISSUED TO
EACH UNION IN IRELAND.POOR LAW COMMISSION OFFICE, DUBLIN,
12th November, 1851.

SIR,

1. The Commissioners for administering the Laws for Relief of the Poor in Ireland desire to call the attention of the Board of Guardians of _____ Union to the 6th section of the Medical Charities Act, 14 & 15 Vic. c. 68, which directs that “the Guardians of each Union in Ireland shall, when so required by the said Commissioners for administering the Laws for Relief of the Poor in Ireland, with all reasonable despatch, divide such Union into so many Dispensary Districts, having regard to the Extent and Population of such Districts, as may to them appear necessary.”

DISPENSARIES.

Requisition
to Guardians
to form
Districts:
12 Nov., 1851.

2. The Commissioners accordingly, in pursuance of the foregoing provision, now require the Guardians of _____ Union, to proceed to divide that Union into Dispensary Districts in accordance with the Act; and request that the Guardians will report to them the arrangements which the Guardians may propose in this respect for carrying into effect the purposes of the above Act, for the consideration of the Commissioners previously to a sealed Order being issued by them under the section above referred to.

DISPENSARIES.

Requisition
to Guardians
to form
Districts :
12 Nov., 1851.

3. The Guardians will observe, that under a provision in the same section, an Electoral Division cannot in any case be divided in the formation of a Dispensary District ; and the boundaries of Dispensary Districts formed under this Act must therefore be coterminous with those of Electoral Divisions. Neither can a Dispensary District include parts of more than one Union.

4. The Commissioners forward herewith a Form of Return in which the particulars of the Districts that may be proposed by the Guardians should be entered and forwarded to this Office.

Date of
taking effect.

5. The Guardians will also have the goodness to state the date on which they are of opinion that the arrangements for the proposed Dispensary Districts under section 6 of the above Act, should take effect.

6. It will be desirable that the Guardians' reply to this communication as well as any other communication to the Commissioners in reference to the above Act, should be forwarded *in a separate letter*, distinct from the ordinary copy of the Minutes of the Board of Guardians.

By Order of the Commissioners,

W. STANLEY, *Secretary.*

*To the Clerk of the Board of Guardians
of ————— Union.*

FORM OF ORDER

DECLARING

DISPENSARY DISTRICTS,

UNDER 14 & 15 VIC. C. 68, § 6.

DISPENSARY
DISTRICTS
DECLARA-
TION ORDER.*Milford Union.*

WHEREAS in exercise of the powers vested in Us by an Act passed in the Fifteenth Year of the Reign of Her Majesty Queen Victoria, intituled "An Act to provide for the better Distribution, Support, and Management of Medical Charities in Ireland, and to amend an Act of the Eleventh Year of Her Majesty to provide for the Execution of the Laws for the Relief of the Poor in Ireland," WE, the Commissioners for administering the Laws for Relief of the Poor in Ireland, have required the Guardians of the Poor of the Milford Union to divide such Union into so many Dispensary Districts, having regard to the extent and population of such Districts, as might to them appear necessary.

AND WHEREAS the Guardians of the said Union have divided the Union into certain Dispensary Districts, and We, the said Commissioners, do approve the same :

NOW THEREFORE in exercise of the powers vested in Us, We do hereby Order and Declare as follows:—

CONSTITUTION OF DISPENSARY DISTRICTS.

ARTICLE 1.—The Number of Dispensary Districts in the Union shall be *Five*^a; and the Name of each District shall be as set forth in Column 1 of the Schedule annexed^b to this Order.

Dispensary
Districts.

ARTICLE 2.—Each District shall consist of the several Electoral Divisions named in Column 2 of the said Schedule^b, opposite to the name of such District.

ARTICLE 3.—The Number of persons who shall be Members of the Committee of Management for each District shall be the number set opposite to the same in Column 3 of the said Schedule^b.

* For number of Dispensary Districts and of Dispensary Medical Officers in each Union in Ireland, see Table, (Part V.) ^b p. 822.

DISPENSARY
DISTRICTS
DECLARA-
TION ORDER.

Medical
Officers.

Qualifica-
tions.

MEDICAL OFFICERS.

ARTICLE 4.—The Number of Medical Officers to be appointed for the service of each of the said Dispensary Districts shall be the number set opposite to the same in Column 4 of the said Schedule^a.

ARTICLE 5.—The Qualifications of every Medical Officer to be appointed for any Dispensary District by the Committee of Management thereof, shall be as follows : that is to say,—

i. He shall be duly licensed to practise as a Medical Man, and shall have obtained Letters Testimonial of his qualification to practise Surgery, from the Royal College of Surgeons in Ireland, or the Diploma of the Royal College of Surgeons of England, or the Degree or Diploma in Surgery of some other College or Body in Great Britain or Ireland duly authorized to grant the same; and also a certificate from some recognised Hospital or Board, or Court of Examiners, or other Body duly authorized to grant the same, of his possessing a competent knowledge of Midwifery : Provided that where the number of Medical Officers to be appointed for a Dispensary District shall be more than one, any part of the above qualification may be dispensed with, which We, the said Commissioners, shall, under the circumstances of each case, deem it unnecessary to require.

ii. He shall have reached the age of 23 years.

iii. Provided that any Medical Practitioner who shall be declared by Us to be the Medical Officer of a Dispensary District, or who shall be nominated by Us for selection for the Office of Medical Officer of a Dispensary District, under the provisions of the 14th section of the said Act, shall be and is hereby excepted from the operation of this Article^b.

DATE OF TAKING EFFECT.

Date of
operation.

ARTICLE 6.—The Day from and after which the cost of all Medical Relief afforded in pursuance of the said Act, within any Dispensary District to which this Order relates, together with all the salaries and charges incidental to the same, shall be charged on the Poor Rates of the Electoral Division or Divisions comprised in such District, shall be the day which is set opposite to such District in Column 5 of the said Schedule^c.

^a Page 822. For number of Dispensary Districts and of Dispensary Medical Officers in each Union in Ireland, see Table, (Part V.)

^b See 14 & 15 Vic. c. 68, § 14 (p. 218).

^c Page 822. For time of taking effect in each Union in Ireland, see Table, (Part V.)

ARTICLE 7.—The said Schedule^a is and is to be deemed to be part of this Order.

DISPENSARY
DISTRICTS
DECLARA-
TION ORDER.

MEETING OF COMMITTEES.

ARTICLE 8.—The Board of Guardians, after electing within One Month from the receipt of this Order, a sufficient number of qualified persons to complete the first Committee of Management for each Dispensary District, in pursuance of the provisions of the said Act, shall also fix the time and place for the First Meeting of each of the Dispensary Committees which shall be appointed for the Union.

Meeting of
Committees.

RETURNS AND NOTICES.

ARTICLE 9.—Immediately on the first completion of each such Committee, and on the completion of a new Committee after each Annual Election of Guardians in the Union, the Clerk of the Union shall make a Return, in the Form (A) annexed^b to this Order, to Us the said Commissioners, of the names and addresses of the respective Members of the Committee; and in like manner, on any election by the Board of Guardians of a Rate-payer or Rate-payers to fill any vacancy or vacancies in any such Committee, the Clerk shall make a Return to Us, in the Form (B) annexed^b to this Order.

Return of
Committee.

ARTICLE 10.—The Clerk of the Union shall, on the appointment of the first Committee for each District, and on the appointment of a new Committee after each Annual Election of the Guardians of the said Union, send to each Member of the Committee a Notice in the annexed Form (C)^b; and on the election of any Rate-payer to supply a vacancy at any time in the Committee, the Clerk shall send to him a Notice in the annexed Form (D)^b.

Notices.

ARTICLE 11.—After the completion of the first Committee of Management of any Dispensary District, and after the appointment of any new Committee as aforesaid, the Clerk of the Union shall furnish the Medical Officer or Officers of such District with a List, according to the annexed Form (E)^b, of the names and addresses of the Members of

^a Page 822.

^b See note ^a in p. 823.

DISPENSARY
DISTRICTS
DECLARA-
TION ORDER.

such Committee, and also of the names and residences of every Relieving Officer and Warden acting as such for any Electoral Division included in such District^a. And the Clerk shall notify to the Medical Officer or Officers, from time to time, any changes, from death or otherwise, of Members of the Committee of Management, Relieving Officers, or Wardens in such District.

SCHEDULE referred to in this Order.

Column 1.	Column 2.	Column 3.	Column 4.	Column 5.
Name of each Dispensary District. ^b	Names of Electoral Divisions comprised in each Dispensary District.	Number of Persons of whom the Committee of Management is to consist.	Number of Medical Officers to be appointed. ^b	Day from and after which the Expenses incurred under the said Act are to be charged on the Poor Rates. ^b
1. Rathmelton,	{ Rathmelton, . Ballyarr, . Glenalla, . }	13	One.	{ The Twenty-eighth day after the receipt of this Order.
2. Rathmullan,	{ Rathmullan, . Killygarvan, . Knockalla, . }	11	One.	{ The First day of August, 1852.
3. Kilmaerenan, and Milford,	{ Milford, . Loughkeel, . Kilmaerenan, . Termon, . }	15	One.	{ The Twenty-eighth day after the receipt of this Order.
4. Fannett,	{ Carrowkeel, . Greenfort, . Rosnakill, . Fanad, North, . Fanad, West, . }	15	One.	
5. Rosguill,	{ Cranford, . Carrickart, . Rosguill, . Glen, . }	11	One.	{ The First day of October, 1852 ^c .

^a See § 9 of Dispensaries Act, 14 & 15 Vic. c. 68 (p. 213).

^b For number of Dispensary Districts, and of Medical Officers thereof, and time of orders taking effect, in each Union in Ireland, see Table, (Part V.)

^c This date was named in accordance with a Minute of the Board of Guardians; and on a subsequent application from the Guardians, was altered by an Order of the 15th July, 1852, to the day of the receipt of the latter Order.—*Commissioners' First Annual Medical Report*, 1853, from which the order is extracted.

FORMS REFERRED TO IN THIS ORDER^a.

DISPENSARY
DISTRICTS
DECLARA-
TION ORDER

FORM A^b.

Return of Committees of Management of Dispensary Districts in the ——— Union^a.

FORM B^b.

Return of [a Member or Members] of the Committee of Management of the ——— Dispensary District, in the ——— Union, to supply [a Vacancy or Vacancies].^a

FORM C^c.

Notice to be given by the Clerk of the Union on the First and each Annual Completion of the Committees of Management of Dispensary Districts^a.

FORM D^c.

Notice to be given to any Rate-payer elected by the Board of Guardians to supply a Vacancy in a Committee of Management of any Dispensary District^a.

FORM E^d.

List of Members of the Committee of Management of the ——— Dispensary District, in ——— Union, and of the Relieving Officers and Wardens acting for each Electoral Division included in such District^a.

Sealed with our Seal, this *Fourteenth* Day of *February*, in the Year of Our Lord One (L.S.) Thousand Eight Hundred and Fifty-*Two*.

(Signed,)

A. POWER,

J. M'DONNELL, M.D.

^a The Forms referred to being now embodied in the General Regulations of 16th December, 1853, will be found appended thereto, (No. 1-5, p. 843-845,) and it is therefore unnecessary to insert them here.

^b Article 9, p. 821: see note ^a.

^c Article 10, p. 821: see note ^a.

^d Article 11, p. 821: see note ^a.

DISPENSARY DISTRICTS FORMATION. — INSTRUCTIONS. FORM OF LETTER OF INSTRUCTIONS TRANSMITTED TO BOARD OF GUARDIANS, WITH THE ORDER DECLARING DISPENSARY DISTRICTS^a.

POOR LAW COMMISSION OFFICE, DUBLIN,
1851-2.

SIR,

Declaration
of Dispensary
Districts.

1. The Commissioners for administering the Laws for Relief of the Poor in Ireland have had under consideration the Division of the ——— Union into Dispensary Districts, as proposed by the Board of Guardians of that Union, in pursuance of the provisions of the Medical Charities' Act, 14 & 15 Vic. cap. 68, and have directed that an Order under their Seal be issued, declaring the Districts accordingly, and providing for the constitution of the Committees of Management for the respective Dispensary Districts^a. The Order, a Sealed Copy of which is forwarded to the Board of Guardians by this day's post, also contains the necessary directions on other parts of the preliminary arrangements to be made in pursuance of the provisions of the Act.

Constitution
of Dispensary
Committees.

2. Under section 7 of the Act, all the ex-officio and elected Guardians resident in each District, or being the Owners or Occupiers of property therein, are, by virtue of their office, to be Members of the Dispensary Committee of such District; and for the completion of each Committee, the Board of Guardians will have to elect, within one month after the receipt of the Order, a sufficient number of Ratepayers resident in the District, and liable to pay Poor Rates in respect of property therein of the net annual value of £30 at least, so as to make up the number of persons of whom the Committee is to consist under Article 3 of the Order.

First Meeting
of Committee

3. The Board of Guardians will also, under Article 8, have to fix, as soon as practicable, the time and place at which the first Meeting of each Committee is to be held; and a notification should thereafter

^a Form of Order declaring Dispensary Districts, p. 819.

be forwarded to each Member of the Committee, as directed in Article 10 of the Order.

DISPENSARY
DISTRICTS
FORMATION.
Instructions.

4. The 8th section of the Act requires that the Board of Guardians should, as soon after receipt of the Order as conveniently may be, provide a House, Building, Room or Rooms, to be used as a Dispensary or Office for the Medical Officer of each District, and for the Meetings of the Committee of Management; and also that the Board of Guardians should provide such Medicines and Medical Appliances as may be necessary for the Medical Relief of the Poor in the District.

Provision of
Dispensary
House.

5. The Guardians should accordingly take steps for making the necessary arrangements in these several particulars as soon as possible.

6. The date referred to in Article 6 of the Order has been named [in accordance with the Guardians' communication of ———, or in reference to the earliest period at which the arrangements can be completed, or otherwise, as the case might be]; and the Commissioners request the Guardians' attention to the subject of the above arrangements at their first Meeting after receipt of the Order.

Date of
taking effect.

7. Your special attention is requested to the duties imposed on you as Clerk of the Union, by Articles 9, 10, and 11 of the Order. You should immediately obtain the authority of the Guardians for procuring the requisite supply of Forms of Notices, &c., prescribed by the Order; and as soon as you are apprised of the appointment of Medical Officers for the several Dispensary Districts having been declared or sanctioned by the Commissioners, you will take care to furnish each of such Officers with the List of the Members of the Committee of Management, &c., and also from time to time with a notification of any changes therein, as directed in Article 11; so that each Medical Officer may be kept informed at all times of the Names and Residences of all the persons authorized by section 9 of the Act to issue Tickets for Medical Relief in his Dispensary District.

Notices to be
issued by
Clerk of
Union.

By order of the Commissioners,

ARTHUR MOORE, *Assistant Secretary.*

*The Clerk of the Board of Guardians
of ——— Union.*

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GENERAL ORDER OF 16TH DECEMBER, 1853,
CONTAINING
GENERAL RULES AND REGULATIONS
FOR THE
GOVERNMENT OF DISPENSARY DISTRICTS,
UNDER
THE MEDICAL CHARITIES ACT, 14 & 15 VIC. C. 68, § 12.

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No. 1.—GENERAL ORDER OF 16TH DECEMBER, 1853,

CONTAINING

GENERAL RULES AND REGULATIONS

FOR THE

GOVERNMENT OF DISPENSARY DISTRICTS,

UNDER THE MEDICAL CHARITIES ACT,

14 & 15 VIC., c. 68, § 12.

To the GUARDIANS of the POOR of the several
UNIONS named in the Schedule^a hereunto annexed,
and the CLERKS thereof; to the COMMITTEES of
MANAGEMENT of Dispensary Districts therein;
to the OFFICERS of such Districts; and to all
others whom it may concern:

DISPENSARY
REGULATIONS:
16 DEC. 1853.

WHEREAS in exercise of the powers vested in Us
by an Act passed in the Fifteenth Year of the
Reign of Her Majesty Queen Victoria, intituled
“An Act to provide for the better Distribution,
Support, and Management of Medical Charities in
Ireland, and to amend an Act of the Eleventh
Year of Her Majesty to provide for the Execution
of the Laws for the Relief of the Poor in *Ireland*,”
WE, the Commissioners for administering the Laws
for Relief of the Poor in Ireland, by Orders under
our Seal, have declared the Dispensary Districts
formed under the said Act, in the several Unions
named in the Schedule annexed^a to this Order:

14 & 15 Vic.
c. 68.

And whereas We are empowered and directed by
the said Act to frame General Rules and Regula-
tions for the Government of each Dispensary Dis-
trict, and for the Guidance and Control of the
Guardians, the Committees of Management, and
the several Officers to be appointed in connexion
therewith, respectively, and to alter or revoke such
Rules and Regulations, and make such new Rules
and Regulations, from Time to Time, as We may
think fit: and We have from time to time made

^a Page 842: the order applies to all the Unions in Ireland.

DISPENSARY
REGULATIONS:
16 DEC. 1853.

Rescinding of
Regulations
previously
issued from
time to time.

and issued such General Rules and Regulations for the several Unions named in the said Schedule^a, and the several Dispensary Districts therein, and We now deem it expedient to alter and revise such General Rules and Regulations :

Now therefore, in exercise of the powers so vested in Us, We do hereby revoke and rescind so much of every Order or General Order heretofore issued by and under the Seal of the Commissioners for administering the Laws for Relief of the Poor in Ireland, to any of the Unions named in the Schedule hereto annexed, and now in force, as is in any way repugnant to, or at variance with, the Rules and Regulations herein contained, except so far as the same may have related to the appointment of any of the existing Officers, and except as to any other proceeding already taken, or matter or thing already done, under such Order.

And we do hereby Order, Direct, and Declare, with respect to each and every of the Unions named in the said Schedule^a, and each and every Dispensary District formed therein under the said Act, as follows :—

COMMITTEE OF MANAGEMENT.

Committee of
Management.

ARTICLE 1.—Immediately on the completion of a new Committee of Management for each Dispensary District after each Annual Election of Guardians in the Union, the Clerk of the Union shall make a Return, in the Form No. 1, annexed^b to this Order, to Us the said Commissioners, of the Names and Addresses of the respective Members of the Committee; and in like manner, on any Election by the Board of Guardians of a Rate-payer or Rate-payers to fill any vacancy or vacancies in any such Committee, the Clerk shall make a Return to Us, in the Form No. 2, annexed^b to this Order.

ARTICLE 2.—The Clerk of the Union shall, on the appointment of a new Committee after each Annual Election of the Guardians of the said Union, send to each Member of the Committee for every Dispensary District, a Notice in the annexed

^a See note ^a in preceding page.

^b Page 843.

Form No. 3^a; and on the Election of any Ratepayer to supply a Vacancy at any time in any of the said Committees, the Clerk shall send to him a Notice in the annexed Form No. 4^a.

DISPENSARY
REGULATIONS:
16 DEC. 1853.

Committee of
Management.

ARTICLE 3.—Immediately upon the annual completion of any new Committees as aforesaid, the Clerk of the Union shall furnish each Medical Officer of the respective Districts with a List, according to the annexed Form No. 5^b, of the Names and Addresses of the Members of the Committee of the District of which he is a Medical Officer; and also of the Names and Residences of every Relieving Officer and Warden acting as such for any Electoral Division included in such District^c: and the Medical Officer shall lay such List before the Committee of Management at their first meeting after receipt thereof. And the Clerk shall in like manner notify, from time to time, any changes, from death or otherwise, of Members of the Committee of Management, Relieving Officers, or Wardens in any Districts, to the respective Medical Officers thereof, who shall lay such notification before the Committee of Management at their first meeting after receipt thereof.

Persons
authorized to
issue Tickets
for Medical
Relief.

ARTICLE 4.—Whenever any person ceases to be a Member of the Committee, or a Warden, on the expiration of the period for which he is appointed, the Clerk of the Union shall transmit to him a Notice in the Form No. 6^d hereto annexed, apprising him of the cessation of his power to issue Tickets for Medical Relief, and requiring him to return to the Board of Guardians any forms of the Tickets for Medical Relief, which had been issued to him in the Medical Relief Ticket Check Books, (Forms E 1 and E 2, hereinafter mentioned^e), and which may not have been used.

ARTICLE 5.—At the first Meeting of the Committee of each District, after the annual appointment of a new Committee, they shall elect from

Appointment
of Chairman,
&c.

^a Page 844.

^b Form for Lists under this Regulation, No. 5, p. 845: and Form of Letter for use of the Clerk in transmitting same to Medical Officer, (p. 907, par. 8; p. 910.)

^c See § 9 of Dispensaries Act, 14 & 15 Vic. c. 68 (p. 213).

^d Page 845.

^e Article 21, ii, (p. 838.)

DISPENSARY REGULATIONS:
16 DEC. 1853. their own body a Chairman and Vice-Chairman, each of whom shall continue to act as such until the appointment of a new Committee, unless he shall previously die, resign, or become incapable or disqualified by ceasing to be a Member of the Committee. And if a Chairman or Vice-Chairman die, resign his office, or become incapable or disqualified as aforesaid to act as such Chairman or Vice-Chairman, before the expiration of the term of office for which he was appointed, the Committee shall, within one month after the occurrence of such death, resignation, incapacity, or disqualification, elect some other Member of the Committee to such office, as the case may require.

Committee of Management.
Appointment of Honorary Secretaries.

ARTICLE 6.—The Committee shall at their first Meeting after each annual appointment of a new Committee, and afterwards from time to time on the occurrence of any vacancy, appoint, from their own body, an Honorary Secretary and an Honorary Assistant Secretary, who shall continue to hold their respective offices during the pleasure of the Committee, or until death, resignation, or disqualification by ceasing to be a Member of the Committee:—Provided that on the termination of the year of office of the Committee, the Secretary and Assistant Secretary, if they continue Members thereof, respectively, need not be re-elected by the Committee, but shall continue to act as Secretary or Assistant Secretary, unless any other appointment to either of those offices be made by the Committee.

Meetings of Committee.

ARTICLE 7.—The Committee shall hold Ordinary Meetings from time to time, at the Dispensary or one of the Dispensaries of the District, on such day of the week and at such hour as may be fixed by the Committee, but not less frequently than once in each fortnight or once in each calendar month, as the Committee, with the sanction of the Commissioners, may determine; and the time fixed for the Ordinary Meetings of the Committee shall be reported to the Commissioners: and the Committee may adjourn any Meeting to any day earlier than the next ordinary day of Meeting, if they shall deem it necessary to do so.

ARTICLE 8.—The Committee may, when they think fit, with the sanction of the Commissioners change the day or hour for their Ordinary Meetings, and shall cause any such change to be reported to the Commissioners.

DISPENSARY
REGULATIONS:
16 DEC. 1853.

Committee of
Management.

ARTICLE 9.—At every Meeting of the Committee, the Chairman, or in his absence, the Vice-Chairman, shall preside; but if at the commencement of any Meeting the Chairman and Vice-Chairman be absent, the Members present shall elect one of themselves to preside at such Meeting as Chairman thereof.

ARTICLE 10.—An Extraordinary Meeting of the Committee may be summoned to be held at any time, upon the requisition of any two Members of the Committee, addressed to the Secretary or Assistant Secretary of the Committee. Every such requisition shall be made in writing, and may be according to the Form A^a, hereunto annexed; and no business, other than the business specified in the said requisition, shall be transacted at such Extraordinary Meeting. Provided that the Chairman or Vice-Chairman, together with the Secretary or Assistant Secretary, may, by a Notice in Form B^a, hereunto annexed, summon an Extraordinary Meeting when deemed necessary by them without a previous requisition from any other Members of the Committee: and an Extraordinary Meeting shall be summoned by any one of these officers on being required by the Commissioners to summon such Meeting.

ARTICLE 11.—At every Meeting of the Committee, the Secretary, or in his absence the Assistant Secretary, or in the absence of both, some Member of the Committee to be appointed Secretary *pro tempore*, shall record the proceedings of the Committee in a Minute-book to be provided for that purpose: and he shall conduct the necessary correspondence and business of the Committee in accordance with their directions; and shall provide for the safe custody at the Dispensary of the books, papers, documents, and correspondence of the Com-

Duties of
Honorary
Secretaries.

DISPENSARY
REGULATIONS:
16 DEC. 1853.

Committee of
Management.

mittee, except the books hereinafter directed to be kept by the Medical Officer^a, which are to be kept in his custody at the Dispensary, and to be laid before the Committee at their Ordinary Meetings from time to time.

ARTICLE 12.—Notice of every change in the time or place of holding any Ordinary Meeting, and notice of the Adjournment of any Meeting, and notice of any Extraordinary Meeting, shall be given in writing to every Member of the Committee. Every such notice shall be respectively according to the Forms B, C, D, hereunto annexed^b, and shall be given or sent to every Member of the Committee, or be left at his place of abode, two days, if practicable, before the day appointed for the Meeting to which it relates: but if any case of emergency should arise, requiring that an Extraordinary Meeting of the Committee should immediately take place, notice shall nevertheless be given to as many of the Members of the Committee as may be practicable; and they shall meet at the ordinary place of Meeting, and take such case into consideration.

ARTICLE 13.—Every question at any Meeting of the Committee shall be determined by a majority of the votes of the Members present thereat and voting on the question; and when there shall be an equal number of votes on any question, such question shall be deemed to have been lost.

ARTICLE 14.—The presiding Chairman shall be entitled to give one vote upon each question that may be submitted to the Committee; but he shall not under any circumstances, be entitled to give any additional or casting vote.

ARTICLE 15.—At every Ordinary Meeting of the Committee, the business shall be conducted as follows:—

i. The Minutes of the last Ordinary Meeting, and of any other Meeting which may have been held since such Ordinary Meeting, signed by the Chairman of the Meeting, shall be read to the Committee; and an entry of the same having been so read, shall be made in the Minutes of the day when read.

ii. The Committee shall examine the Register of

persons to whom Medical Relief shall have been afforded since the last Meeting of the Committee; such Register to be in the Form F, annexed^a to this Order, and to be duly entered up by the Medical Officer and produced at each Meeting of the Committee.

DISPENSARY
REGULATIONS:
16 DEC. 1853.

Committee of
Management.

iii. The Committee shall give directions regarding all persons so relieved as aforesaid, in pursuance of their powers under the 9th Section of the said Act^b; and such directions shall be recorded and authenticated in the several columns of the Register, in the manner pointed out in the Form hereunto annexed^a, the presiding Chairman inserting his initials and the date of the Meeting at which each case is submitted, in the columns for the purpose.

iv. The Committee shall examine and consider any Reports made and entered by the Medical Officer in his Report Book, (Form I^c), since the last Meeting of the Committee, and give the necessary directions thereon, and record the same on their Minutes: and the Committee shall also examine the Medical Officer's Return (Form L^d); and the presiding Chairman shall mark the Return as having been submitted to the Committee, with the Date of the Meeting at which it is submitted, and sign it accordingly.

v. The Committee shall, at the first Ordinary Meeting in each month, or in each quarter, as the Board of Guardians and the Committee may determine, receive and consider the Medical Officer's Estimate^e of the Medicines and Medical Appliances required, and of the quantities thereof used and issued to recipients of Medical Relief since the last previous Estimate, and of the quantities thereof remaining on hand, respectively; and shall forward the same, or a copy thereof, to the Board of Guardians of the Union, with a Requisition for the articles required^f; and such Estimate and Requisition may be in the annexed Forms M 1 & 2^g; and shall be made out in duplicate, one copy being retained at the Dispensary.

Form M 1.

Form M 2.

vi. They shall also, at the first Ordinary Meeting in each quarter, prepare and forward to the Board of Guardians an Account of any incidental Expenses incurred since the last preceding Quarterly Account, with an Estimate of any similar Expenses for the ensuing quarter.

ARTICLE 16.—After the completion of the Committee in each year, they shall cause a Notice to be prepared, specifying the persons and their resi-

^a Form F, Medical Relief Register, p. 851.

^b 14 & 15 Vic. c. 68, § 9 (p. 213).

^c Page 853.

^d Page 854.

^e Article 21, ix.

^f See Articles 26 and 27, (p. 841,) and § 8 of act, (p. 212,) under which the Guardians of the Union are to furnish the requisite supplies.

^g Page 855.

DISPENSARY
REGULATIONS:
16 DEC. 1853.

Committee of
Management.

dences to whom application may be made for Tickets for Medical Relief, the situation of the Dispensary or Dispensary Stations in the District, the days and hours of attendance at each, the name and residence of the Medical Officer, and such other particulars of the Dispensary arrangements as may be necessary to afford due facility for obtaining Medical Relief and Vaccination where requisite. Such Notice may be in the Form N^a, annexed to this Order, or in such other Form as may be directed or approved by the Commissioners; and a printed copy thereof shall be posted at each Dispensary in the District, and at such other places in the District as the Committee may deem necessary for the due notification of the Dispensary arrangements. The Committee shall also cause a Notification, in the Form O^b, to be kept conspicuously painted or affixed on the exterior of each Dispensary in the District.

APPOINTMENT OF PAID OFFICERS.

Appoint-
ment of Paid
Officers.

ARTICLE 17.—The Committee of Management of each Dispensary District shall from time to time, appoint such Officers as may be directed by Sealed Order^c of the Commissioners for the service of the Dispensary District; and shall upon the occurrence of any vacancy, cause the same to be reported to the Commissioners, and proceed to a new appointment.

ARTICLE 18.—No appointment of any Officer directed to be appointed by the Committee, in pursuance of any Order issued under our Seal, shall be made, unless Notice that such appointment will be made shall have been given and entered on the Minutes at a Meeting of the Committee, one fortnight at least preceding the Meeting at which the appointment is to be made, and unless an advertisement giving notice of such appointment shall, by the direction of the Committee, entered on their Minutes, be inserted in some public paper at least ten days before the day on which such appointment is to be made.

^a Page 855-7.

^b Page 857.

^c Number of Officers prescribed by Article 4 of Declaration Order (p. 820), or any special order subsequently issued in that behalf or altering the same.

ARTICLE 19.—Every Officer to be appointed in pursuance of any Order under our Seal, shall be appointed by a majority of the Committee present at any Meeting of the Committee, in the manner directed in Article 13^a; and every such appointment shall, as soon as the same shall have been made, be reported to the Commissioners by the Secretary or Assistant Secretary of the Committee.

DISPENSARY
REGULATIONS:
16 DEC. 1853.

Appoint-
ment of Paid
Officers.

MEDICAL OFFICER.

ARTICLE 20.—The Qualification of every Medical Officer to be appointed by the Committee of Management of any Dispensary District, shall be as follows: that is to say;—

Medical
Officer.

i. He shall be duly licensed to practise as a Medical Man, and shall have obtained Letters Testimonial of his qualification to practise Surgery, from the Royal College of Surgeons in Ireland, or the Diploma of the Royal College of Surgeons of England, or the Degree or Diploma in Surgery of some other College or Body in Great Britain or Ireland, duly authorized to grant the same, and also a Certificate from some recognised Hospital or Board or Court of Examiners, or other body duly authorized to grant the same, of his possessing a competent knowledge of Midwifery: Provided that where the number of Medical Officers to be appointed for a Dispensary District shall be more than one, any part of the above qualification may be dispensed with, which We the said Commissioners shall, under the circumstances of each case, deem it unnecessary to require.

ii. He shall have reached the age of 23 years.

iii. Provided that any Medical Practitioner who shall be declared by Us to be the Medical Officer of a Dispensary District, or who shall be nominated by Us for selection for the office of Medical Officer of a Dispensary District, under the provisions of the 14th Section of the said Act, shall be and is hereby excepted from the operation of this Article^b.

ARTICLE 21.—The Duties of every Medical Officer of a Dispensary District under the said Act, shall be as follows: that is to say;—

i. He shall attend at the Dispensary of the District or Division of a District under his charge, on such days, and at such hours, as the Committee of Management may direct, for the purpose of affording Medical

^a Page 834.

^b See 14 & 15 Vic. c. 68, § 14, (p. 218.)

DISPENSARY
REGULATIONS:
16 DEC. 1853.

Medical
Officer.

Relief to any poor person applying for the same and presenting a Ticket as hereinafter provided^a, and for the Vaccination of all persons who may come to him for the purpose.

ii. He shall duly and punctually attend upon, either at the Dispensary during the appointed hours for attendance thereat, or at the home of the party on whose behalf application is made, or elsewhere, as the case may require, and supply all requisite Medical and Surgical Advice and Assistance to every Poor Person in the District or Division of a District under his charge, whom he shall be required to attend as Medical Officer, by a Ticket in the Form E 1, or E 2^b, annexed to this Order, signed by a Member of the Committee of Management of the Dispensary District, or by a Relieving Officer or Warden acting for any Electoral Division included in such District: and all such Tickets received by the Medical Officer shall be filed and preserved by him at the Dispensary^c.

iii. He shall give a certificate under his hand to the Committee of Management, or the Board of Guardians, or the Relieving Officer, when called upon to do so, of the state of health of any Dispensary Patient attended by him.

iv. He shall keep and duly enter up the Medical Relief Register and Index thereto, according to the Form F^d, hereunto annexed, and submit the same to the Committee of Management at each Ordinary Meeting: and he shall enter in a separate Book in the Form G^e, hereto annexed, to be kept at the Dispensary, the Dates of his Attendance, and the Treatment prescribed by him, in the case of each Patient entered in the Medical Relief Register.

v. He shall Vaccinate all persons who may come to him for that purpose, and shall do and perform all such other acts and things as may be necessary for the purpose of causing such Vaccination to be successfully terminated: and he shall keep a Register, in the annexed Form H^f, of all cases of Vaccination performed by him as Medical Officer of the Dispensary; and submit the same to the Committee of Management at each Ordinary Meeting^g.

vi. He shall submit to the Committee at each Ordinary Meeting, his Report Book, (Form I^h), in which he shall enter any matter which he may deem it necessary to bring under the notice of the Committee, who will take into their consideration any entry

^a No. ii.

^b Pages 848-850.

^c See further Instructions as to attendance of Medical Officer on receipt of a Ticket, in Circulars of 22 Dec., 1853, p. 853-9, 870-872, 874.

^d Page 851.

^e Page 852.

^f Page 852.

^g See further Instructions as to Vaccination, p. 878 *et seq.*

^h Page 853.

which shall have been made therein since the last Meeting.

vii. If there be within his District, a Bridewell or House of Correction which he is required by the said Act to attend, he shall submit to the Committee at each Ordinary Meeting, in the Form K^a, hereto annexed, an Account of any Medicines supplied to Prisoners and Inmates in such Bridewell or House of Correction^b.

viii. He shall submit to the Committee at each Ordinary Meeting a Return, in the annexed Form L^c, of the number of Patients attended by him since the Ordinary Meeting immediately preceding; and shall forward a Return of the same to the office of the Commissioners, for each Calendar Month, or for and at such other periods as may be from time to time directed by the Commissioners^d.

ix. He shall at the first Ordinary Meeting of the Committee in each month or quarter as may be determined by the Board of Guardians and Committee, deliver or forward to the Committee an Estimate (in the annexed Form M 1^e.) of any Medicines and Medical Appliances required, and of the quantities thereof used and issued to the recipients of Medical Relief since the last previous Estimate, and of the quantities thereof remaining on hand, respectively^f.

x. He shall make such Returns appertaining to the duties of his office as may be from time to time required of him by the Commissioners for administering the Laws for Relief of the Poor in Ireland^g, or by the Committee of Management or the Board of Guardians.

ARTICLE 22.—If a Medical Officer of a Dispensary District be temporarily incapacitated, by illness or other cause, from performing his duties, he shall immediately, if practicable, communicate with the Chairman or Honorary Secretary of the Committee, and shall recommend to the Committee a Medical Practitioner qualified as hereinbefore provided (in Article 20,) to perform his duties during such temporary incapacity. And on the fact of the

^a Page 853.

^b As to account of Medicines supplied to such Prisoners and Inmates, see § 15 of act (p. 219).

^c Page 854.

^d See further Instructions as to the return to the Commissioners, to be made quarterly in form annexed to Circular of Instructions of 31 May, 1855 (p. 897, 899).

^e Page 855.

^f See Article 15, No. v. as to Committee's proceeding thereon, (p. 835); and Articles 26, 27 as to Board of Guardians' functions (p. 840-1).

DISPENSARY
REGULATIONS:
16 DEC. 1853.

Medical
Officer.

Medical Officer's incapacity becoming known, a special Meeting of the Committee shall be at once called, in accordance with Article 12 of this Order, for the purpose of appointing a temporary substitute for the Medical Officer; and the Committee shall report the circumstances of the case to the Board of Guardians, who shall, subject to the approval of the Commissioners, determine the amount of remuneration, if any, to be paid to the temporary substitute. And for the time during which such temporary substitute, appointed by the Committee of Management, shall act as Medical Officer, he shall perform all the duties of the Medical Officer, and shall duly enter up the Books of the Dispensary for such time, before any remuneration that may be agreed upon be paid to him.

ARTICLE 23.—In case of the death or resignation of a Medical Officer, the Committee of Management shall, in like manner as provided in Article 22, make provision for the performance of the duties of Medical Officer by a person duly qualified in accordance with Article 20, until the appointment of a Medical Officer shall have been duly made, in accordance with Articles 18 and 19 of this Order, and approved by the Commissioners.

BOARD OF GUARDIANS.

Board of
Guardians.

ARTICLE 24.—The Board of Guardians shall pay to each Paid Officer duly authorized and appointed for the service of the District, such salary or remuneration as the Commissioners may, from time to time, approve or direct.

ARTICLE 25.—The Salary of each Paid Officer duly appointed for the service of the District, shall be payable by the Board of Guardians quarterly, (that is to say, to the 25th March, 24th June, 29th September, and 25th December, respectively, in each year,) and proportionably for any part of a quarter for which he may have acted; and his salary shall be payable up to the day on which he ceases to hold his office or employment, and no longer.

ARTICLE 26.—The Board of Guardians shall, on receipt of the Estimates of the requirements of each

Dispensary in the Union, from time to time, and the requisition of the Committee of Management thereon^a, cause the necessary supplies to be immediately furnished for the use of such Dispensary.

DISPENSARY
REGULATIONS:
16 DEC. 1853.

Board of
Guardians.

ARTICLE 27.—The Board of Guardians shall from time to time as may be necessary, cause to be provided a sufficient supply of Books, Stationery, and Forms prescribed by this or any other Order under our Seal, and all other requisites, for the use of each Committee of Management: and shall also cause a sufficient number of Check Books of Medical Relief Tickets, according to the annexed Forms E 1 and E 2^b to be provided, and cause a sufficient supply of such Check Books to be furnished to each Member of every Dispensary Committee in the Union, and to each Relieving Officer and Warden therein.

ARTICLE 28.—The Board of Guardians shall include in their half-yearly accounts of expenditure, all Expenses incurred for the service of each Dispensary District in the Union, for the half-year, charging the same to the several Electoral Divisions comprised in the District, according to the net annual value of the rateable property in each Division, as set forth in the last preceding Rate for the Relief of the Poor^c.

ARTICLE 29.—Immediately after the completion of the half-yearly accounts for the audit thereof by the Auditor of the Union, the Board of Guardians shall cause their Clerk to furnish to the Committee of each Dispensary District, previously to such audit, a statement of all items of Expenses incurred for the District which shall have been included in the half year's accounts; and such statement shall be made in such Form as may be directed or approved by the Commissioners^c.

^a Article 15, v. vi (p. 825).

^b Page 848–850.

^c See Instructions and Forms for Half-yearly statements of Account of Dispensary expenses (p. 901, 902–3).

DISPENSARY
REGULATIONS:
16 DEC. 1853.

SCHEDULE:—*Names of Unions to which this Order applies*.*

Names of
Unions to
which this
Order
applies.

Abbeyleix	Dingle	Magherafelt
Antrim	Donaghmore	Malinow
Ardee	Donegal	Manorhamilton
Armagh	Downpatrick	Midleton
Athlone	Drogheda	Milford
Athy	Dromore West	Millstreet
Bailieborough	Dublin, North	Mitchelstown
Ballina	Dublin, South	Mohill
Ballinasloe	Dundalk	Monaghan
Ballinrobe	Dunfanaghy	Mountbellew
Ballycastle	Dungannon	Mountmelick
Ballymahon	Dungarvan	Mullingar
Ballymena	Dunmanway	Naas
Ballymoney	Dunshaughlin	Navan
Ballyshannon	Edenderry	Nenagh
Ballyvaghan	Ennis	Newcastle
Balrothery	Enniscorthy	Newport
Baltinglass	Enniskillen	New Ross
Banbridge	Ennistymon	Newry
Bandon	Fermoy	Newtownards
Bantry	Galway	Newtownlimavady
Bawnboy	Glennamaddy	Oldcastle
Belfast	Glenties	Omagh
Belmullet	Glin	Oughterard
Borrisokane	Gorey	Parsonstown
Boyle	Gort	Portumna
Caherciveen	Gortin	Rathdown
Callan	Granard	Rathdrum
Carlow	Inishowen	Rathkeale
Carrickmacross	Kanturk	Roscommon
Carrick-on-Shannon	Kells	Roscrea
Carrick-on-Suir	Kenmare	Scariff
Cashel	Kilkeel	Shillelagh
Castlebar	Kilkenny	Skibbereen
Castleblayney	Killadysert	Skull
Castlecómer	Killala	Sligo
Castlederg	Killarney	Strabane
Castlereagh	Kilmacthomas	Stranorlar
Castletown	Kilmallock	Strokestown
Castletowndelvin	Kilrush	Swineford
Cavan	Kinsale	Thomastown
Celbridge	Larne	Thurles
Claremorris	Letterkenny	Tipperary
Clifden	Limerick	Tobercurry
Clogheen	Lisburn	Tralee
Clogher	Lismore	Trim
Clonakilty	Lisnaskea	Tuam
Clones	Listowel	Tulla
Clonmel	Londonderry	Tullamore
Coleraine	Longford	Ulingford
Cookstown	Loughrea	Waterford
Cootehill	Lowtherstown	Westport
Cork	Lurgan	Wexford
Corrofin	Macroom	Youghal
Croom		

* The order applies to all the Unions in Ireland.

FORMS REFERRED TO IN THIS ORDER,—FOR USE BY CLERKS OF UNIONS.

DISPENSARY
REGULATIONS:
16 DEC. 1853.

FORM No. 1^a.

Forms.

UNION.

Annual Return of Committees of Management of
Dispensary Districts in the ——— Union.

Name of each Dispensary District.	Number of Members of whom the Committee is to consist, as declared by Commissioners' Order.	Guardians who are Members of the Committee for each District, in pursuance of § 7 of 14 & 15 Vic. c. 68.		Rate-payers elected by the Board of Guardians to be Members of the Committee for each District.	
		Name.	Residence.	Name.	Residence.

Signature :

Clerk of ——— Union.

Date : ——— of ——— 185—.

FORM No. 2^a.

——— UNION. ——— DISPENSARY DISTRICT.

Return of [a Member *or* Members] of the Com-
mittee of Management of the Dis-
pensary District, in the Union, to supply
[a Vacancy *or* Vacancies.]

Name of [Rate-payer <i>or</i> Rate-payers] elected by Board of Guardians.	Residence.

Signature :

Clerk of ——— Union.

Date : ——— of ——— 185—.

DISPENSARY
REGULATIONS:
16 DEC. 1853.

FORM No. 3^a.

Forms.

Notice to be given by the Clerk of the Union to each Member of every Dispensary Committee on the Annual Completion of the Committees of Management of Dispensary Districts.

— UNION.

— DISPENSARY DISTRICT.

SIR,—Notice is hereby given to you that in pursuance of the provisions of § 7 of the Act 14 & 15 Vic., c. 68, you* — a Member of the Committee of Management of the — Dispensary District in the above Union: and the next Meeting of the said Committee is to be held at the Dispensary at — on — day, the —th of — 185 , at the hour of — o'clock in the — noon.

Check Books containing Tickets for Medical Relief, in the prescribed Forms, [are enclosed herewith; or if the party has been previously appointed and supplied, can be obtained from me from time to time when those already issued to you have been used.]

Signed this —th day of — 185 ,

—, Clerk of — Union.

To —, of —.

* This blank is to be filled by the Clerk with the word "are," where this Notice is addressed to any Guardian who as such is entitled to be a Member of the Committee under § 7. In other cases, (i.e., where the Notice is addressed to a Rate-payer elected by the Board of Guardians,) the blank should be filled with the words "have been elected by the Board of Guardians of the above Union."

FORM No. 4^a.

Notice to be given to any Rate-payer elected by the Board of Guardians to supply a Vacancy in a Committee of Management of any Dispensary District.

— UNION.

— DISPENSARY DISTRICT.

SIR,—Notice is hereby given to you that a Vacancy having occurred in the Committee of Management of the — Dispensary District, in the above Union, you have been elected by the Board of Guardians of the Union to be a Member of the Committee, to supply such vacancy; and the next Meeting of the Committee is to be held at the Dispensary at —, on — day, the —th of — 185 , at the hour of — o'clock in the — noon.

Check Books containing Tickets for Medical Relief, in the prescribed Forms, [are enclosed herewith; or if the party has been already supplied, can be obtained from me from time to time when those already issued to you have been used.]

Signed this —th day of — 185 ,

—, Clerk of — Union.

To —, of —.

FORM No. 5^a.

DISPENSARY
REGULATIONS:
16 DEC. 1853.

— UNION. — DISPENSARY DISTRICT. —

List of Members of the Committee of Management of the ——— Dispensary District, in ——— Union, and of the Relieving Officers and Wardens acting for each Electoral Division included in such District.

Members of Committee of Management of the Dispensary.		Relieving Officers acting for any Electoral Division in the District.		Wardens acting for any Electoral Division in the District.	
Name.	Residence.	Name.	Residence.	Name.	Residence.

Signature : _____,
Clerk of _____ Union.
Date : _____ of _____ 185 .
To Dr. or Surgeon _____,
Medical Officer of _____ Dispensary District.

FORM No. 6^b.

Notice to be transmitted by Clerk of Union to a Member of a Dispensary Committee, or Warden, on the Expiration of his Term of Office, in case he be not re-appointed.

— UNION. — DISPENSARY DISTRICT.
—th of ——— 185 .

SIR,—I am directed by the Board of Guardians of the ——— Union to apprise you that the period for which you were appointed a [Member of the Committee of Management, or Warden, as case may be,] for the ——— Dispensary District, having expired, your power to issue Tickets for Medical Relief in that District, in pursuance of the provisions of the Medical Charities Act, has ceased; and the Medical Officer of the District is not authorized by the Act to afford Medical Relief upon any Tickets hereafter issued by you, unless and until you shall be re-appointed. And you are requested to be good enough to return to the Board of Guardians, for the use of the persons authorized to issue such Tickets, any blank Forms of Medical Relief Tickets in the Check Books, Forms E 1 and E 2, which now remain in your hands unused.

By Order of the Board of Guardians,
_____, Clerk of Union.

To _____

^a Article 3, p. 831 : and see Form of Letter for use of Clerk in transmitting this List to Medical Officer (p. 907, par. 8 ; p. 910).
^b Article 4, p. 831.

DISPENSARY FORMS REFERRED TO IN THIS ORDER,—FOR USE
REGULATIONS: BY OFFICERS OF DISPENSARY DISTRICTS.
16 DEC. 1853.

FORM A^a.

FORMS.

Requisition for an Extraordinary Meeting of the Committee of Management of Dispensary District.

To the [Hon. Secretary or Hon. Assistant Secretary] of the Committee of Management of ——— Dispensary District, in ——— Union.

We, the undersigned, being two Members of the Committee of Management of the above Dispensary District, do hereby require an Extraordinary Meeting of the Committee of the said District to be summoned, to be held at the Dispensary at ———, on — day, the — day of ———, 185 , at — o'clock in the — noon, to take into consideration [*set out the subject for consideration.*]

Dated this — of ———, 185 .

_____ } Members
of Committee
of Management.

FORM B^b.

Notice to be given by the *Secretary or Assistant Secretary*,* convening an Extraordinary Meeting of Committee of Management.

To A.B., Member of the Committee of Management of the Dispensary District, in ——— Union.

SIR,—*C.D. and E.F. two Members of the Committee of Management of the above Dispensary District, have required** that an Extraordinary Meeting of the said Committee should be *summoned. to be** held at the Dispensary at ——— on ——— day, the — day of ——— 185 , at — o'clock in the — noon, to take into consideration [*set out the subject as in requisition for the Meeting*]; and you are hereby requested to attend such Meeting, at the above-named time and place.

——— [Hon. Sec. or Hon. Asst. Sec.] of the Committee.*

Dated this — of ———, 185 .

* *The words printed in Italics in this Form of Notice (B) may be varied so as to adapt the form for use where an Extraordinary Meeting is called without a previous requisition, as provided for in Article 10 of the Regulations^a. In such case the Notice may commence as follows:—* “We, the Chairman, [or Vice-Chairman] and the Honorary Secretary, [or Assistant Secretary] of the Committee of Management of the above Dispensary District, deem it necessary that an Extraordinary Meeting of the said Committee should be held at ———,” &c., *as in the rest of the above form of Notice, which should in this case be signed by the two Officers convening the Meeting. Where the Meeting is convened in consequence of a requirement of the Commissioners, the Notice may commence thus:—* “The Commissioners for administering the Laws for Relief of the Poor in Ireland have required” &c. *as above; and the Notice in this case should be signed by the Officer convening the Meeting accordingly.*

^a Article 10, p. 833.

^b Article 10, p. 833; Article 12, p. 834.

FORM C^a.DISPENSARY
REGULATIONS:
16 DEC. 1853.Notice of Change of Time or Place of Meeting of
Committee of Management.

Forms.

To *A.B.*, Member of the Committee of Management of
the ——— Dispensary District, in ——— Union.

SIR,—You are hereby informed that the next Ordinary
Meeting of the Committee of Management of the ———
Dispensary District, in ——— Union, will take place at
the Dispensary at ———, on ——— day, the ——— day of ———,
185 , at ——— o'clock in the ——— noon; and it has been
determined at a Meeting of the Committee held on the
—— instant, that the Ordinary Meetings of the Commit-
tee shall in future be held on the ——— day in each ———,
at the hour of ——— in the ——— noon, at the same place,
[or at the Dispensary at ———, *as the case may be.*]

[*Hon. Sec. or Hon. Asst. Sec.*] of the Committee.

Dated this ——— day of ———, 185 .

FORM D^a.Notice of an Adjourned Meeting of Committee of
Management.

To *A.B.*, Member of the Committee of Management of
the Dispensary District, in ——— Union.

SIR,—This is to give you Notice that an Adjourned
Meeting of the Committee of Management of the ———
Dispensary District, in ——— Union, will be held at the
Dispensary at ———, on ——— day, the ——— day of ———,
185 , to take into consideration [*set out the subject for
consideration*]; which Meeting you are hereby requested
to attend.

[*Hon. Sec. or Hon. Asst. Sec.*] of the Committee.

Dated this ——— of ———, 185 .

^a Article 12, p. 834.

FORMS E 1 & 2.—MEDICAL RELIEF TICKET CHECK BOOKS*.

FORM E 1.

Ticket for Attendance at Dispensary.*

[No. .]

To Dr.

Medical Officer of
inDispensary District,
Union.

SIR,

You are hereby required to afford Medical Advice
and any necessary Medicine, to
residing at
District.

Dated this day of 185 .

(Signed.)

*Member of Dispensary Committee,
Relieving Officer, or Warden,
as the case may be.*

* See directions as to the Forms of Medical Relief Tickets, (p. 850.)

FORM E 1.

Ticket for Attendance at Dispensary.*

[No. .]

To Dr.

Medical Officer of
inDispensary District,
Union.

SIR,

You are hereby required to afford Medical Advice
and any necessary Medicine, to
residing at
District.

Dated this day of 185 .

(Signed.)

*Member of Dispensary Committee,
Relieving Officer, or Warden,
as the case may be.*

FORM E 2*.

Ticket for Attendance at the Patient's Home.*

[No. .]

To Dr. .
Medical Officer of Dispensary District,
in Union.

SIR,

You are hereby required to visit and afford Medical Advice and any necessary Medicine, to ,
aged , residing at ,
in the above Dispensary District, who is by occupation a

Dated this day of 185 .

(Signed,)

Member of Dispensary Committee,
Relieving Officer, or Warden,
as the case may be.

* See directions as to the Forms of Medical Relief Tickets, (p. 850).

* Articles 4 ; 21, ii ; 27 ; (p. 831, 838, 841) : § 9 of Dispensaries Act, 14 & 15 Vic. c. 68, (p. 213.)

FORM E 2*.

Ticket for Attendance at the Patient's Home.*

[No. .]

To Dr. .
Medical Officer of Dispensary District,
in Union.

SIR,

You are hereby required to visit and afford Medical Advice and any necessary Medicine, to ,
aged , residing at ,
in the above Dispensary District, who is by occupation a

Dated this day of 185

(Signed,)

Member of Dispensary Committee,
Relieving Officer, or Warden,
as the case may be.

DISPENSARY
REGULATIONS:
16 DEC. 1853.

Forms E 1
& 2.

DIRECTIONS FOR PRINTING AND FILLING UP MEDICAL RELIEF TICKETS :

(*To be inserted on the first leaf of each Check Book*.*)

Blank Tickets for Medical Relief are to be printed in the Forms E 1 and E 2, in counterparts, and bound up in books^a; and the Name of the Medical Officer, and of the Dispensary District and Union can be printed in the Tickets for each District, so as to reduce, as far as possible, the number of particulars to be written by the persons filling up and issuing the Tickets.

The Ticket and Counterpart are both to be filled up by the person issuing the Ticket; one part to be retained by the person issuing the Ticket, and the other to be detached from the book and given to the applicant, for presentation to the Medical Officer.

Form E 1, which is the form of Ticket to be issued for Medical Relief to be given on the party *attending at the Dispensary*, is to be printed in *black* ink. Form E 2, which is the form of Ticket to be issued where it is necessary that the Medical Officer should *visit the Patient at his home*, is, for the sake of distinction and convenience, to be printed in *red* ink. Care should be taken in the issue of the Tickets accordingly; and Tickets should be issued in the Form E 2, for visiting at the residence of the applicant, in cases of necessity only.

A Visiting Ticket, for the Attendance of the Medical Officer at the Patient's home, (Form E 2,) may be presented to the Medical Officer either at the Dispensary, within the hours of his attendance there, or at his Residence. If presented at his Residence, it should be presented before* o'clock in the morning, in order to ensure his attendance on the same day, where required.

* This hour
to be fixed
by the Com-
mittee.

The Ticket in either form, is to be issued for the Dispensary District *in which the applicant is resident at the time*; and care should be taken to fill up the Ticket and apprise the applicant accordingly, as the Medical Officer of each Dispensary District is only bound to attend "any poor person *resident therein*."

The Christian Name and Surname of the applicant should be inserted in the Ticket in full: and such description of his place of abode (as, Name of Townland, and where necessary the parish also, or in case of Cities and Towns, the Street, Place, or Row, &c., and Number of House,) should be given, as will be sufficient for identification and for registration: and with this view the age and occupation of the applicant should also be stated wherever practicable, in any case in which a Visiting Ticket (Form E 2,) is issued. Any further observation which the grantor of the Ticket may desire to make for the information of the Medical Officer, should be written on the front of the Ticket.

* Forms E 1 & E 2, Medical Relief Ticket Check Books; p. 848, 849.

DISPENSARY
REGULATIONS:
16 DEC. 1853.

FORM G.

Attendance and Prescription Book^a.

Forms.

Attendances and Prescriptions in each Case recorded
in Medical Relief Register.

_____ *Union.* _____ *Dispensary District.*

Name of Patient, _____ No. in Register of
year 185—, ____.

Dates of Attendance.		Prescriptions or Treatment.
At Dispensary.	At Patient's Home.	

Instructions as to Attendance and Prescription Book^a.

The Attendance and Prescription Book is to be used for a brief record of the treatment of each case; and the cases should be entered, as far as practicable, in the order of numbers corresponding with those in the Register, so that the case of any patient may be readily referred to. The Book should be entered up daily.

The date of *every* attendance on a patient is to be entered, and the description of the treatment or prescriptions may generally be very brief.

The Book should be of sufficient size for this purpose, allowing a separate page for each patient; but a second case can be entered in the same page where sufficient space appears to remain after entry of the first.

FORM H.

Vaccination Register^b.

_____ *Union.* _____ *Dispensary District.*

Year 185 .		Name, (stating Chris- tian and Sur- name).	Place of Resi- dence.	Age.			Sex.	State of Health.	Whether Pri- mary or Secondary Vaccination.	Dates of days on which observed after Vaccination.				Result: (i.e. whether Suc- cessful or Un- successful, and in the latter case, whether Vac- cinated again).	Observations.
Number.	Date of Vaccina- tion.			Years.	Months.	Days.				4th day.	8th day.	12th day.	16th day.		
Col. 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

Instructions for Vaccination Register^b:—(to be printed at
the beginning of each Book.)

Column 1.—The series of numbers is to run from the beginning to the end of the year, and a fresh series is to be commenced on the 1st of January in each year.

Columns 11 to 14.—The *Dates* of the days of the month on which the

^a Article 21, iv. (p. 838): and see further Instructions as to Attendance and Prescription Book, in Circular of 22 Dec. 1853, par. 12, (p. 863.)

^b Article 21, v. (p. 838): and see further Instructions as to Vaccination in Circulars to Medical Officers, (p. 863–4, 896),—and to Guardians, Committees, and Medical Inspectors, p. 878 *et seq.*

case is observed, after vaccination is performed, should be entered in Columns 11 to 14 respectively, according as the case is seen on the 4th or other days after Vaccination. The 8th and 12th days after Vaccination being those on which it is most important that the child should be presented for inspection, the Medical Officer should impress on the parent or person bringing the child for Vaccination, the importance of presenting the child again for inspection on those days, and especially on the 8th day. Columns 11 and 14 are inserted in case the child be presented on the 4th or 16th day, as is sometimes the case; but these columns are not to be filled up, unless the child be presented on the days referred to, in which case the dates should be inserted according to the fact.

The Register of Vaccination is to be laid before the Committee of Management at each ordinary Meeting.

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16 DEC. 1853.
Forms.

FORM I.

Medical Officer's Report Book^a.

_____ Union. _____ Dispensary District.

Date.	Medical Officer's Report to Committee of Management.

FORM K.

Bridewell Account^b.

_____ Union. _____ Dispensary District.

Medical Officer's Account of Medicines supplied to Prisoners and Inmates in _____ Bridewell [or House of Correction, *as the case may be,*] in the above Dispensary District, under sec. 15 of 14 & 15 Vic. c. 68^b.

Number of Prisoners and Inmates attended by Medical Officer of Dispensary.				Medi- cines sup- plied.	Quanti- ties thereof.	Dates of Supply of Medicines.
Dates of Medical Officer's Attendance.	Males.	Fe- males.	Total.			
Column 1.	2.	3.	4.	5	6	7
185 .						185 .

^a Articles 15, iv. (p. 835); 21, vi. (p. 838).

^b Article 21, vii. (p. 839): § 15 of act, (p. 219.)

DISPENSARY
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FORM L.

Medical Officer's Return^a.

Forms.

* Month or
other period
as may be
directed^a.

_____ *Union.*_____ *Dispensary District.*

Medical Officer's Return for the* ended 185 .

Number of New Cases Attended and Registered during the above period.			No. of Tickets cancelled by the Committee during the above period, under § 9 of 14 & 15 Vic. c. 68.	No. of Children Vaccinated during the above period.	No. of Cases of Dangerous Lunatics certified under § 15 of 14 & 15 Vic. c. 68.	No. of new cases during the above period attended in Bridewell or House of Correction under 14 & 15 Vic. c. 68, § 15, (if any in District.)	OBSERVATIONS. (In case of any Disease being unusually pre- valent, state hereunder the Name of the Disease, and the Number of Cases of it in the above period.)
On Dis- pensary Tickets, (Form E 1.)	On Visiting Tickets, (Form E 2.)	Total.					
Col. 1	2	3	4	5	6	7	8

Number of Medical Officers for the District?

Number of Dispensary Stations for the District?

Dispensary Days, and Hours of attendance at each

Dispensary Station in the District?

Days fixed for Ordinary Meetings of the Committee?

Signature: _____

Medical Officer of — *Dispensary District,*
in — *Union.*

Date: — day of —, 185 .

Laid before the Committee of Management, this —
day of — 185 .

Signature: _____

Presiding Chairman.

Instructions as to the Medical Officer's Return, (Form L.)^a

Columns 1 to 3 are to include the number of New Cases recorded in the Medical Relief Register during the period for which the Return is made.

Column 4: the number of Tickets cancelled should be the sum of those recorded, in Columns 20 and 21 of the Medical Relief Register, as cancelled during the period to which the Return relates.

Column 5: the number of cases of Vaccination should be the number of those recorded in the Vaccination Register during the period for which the Return is made.

Column 7 is to be filled (if there be any Bridewell or House of Correction in the District attended by the Medical Officer, in pursuance of the Act,) with the number of Inmates recorded in Column 4 of the Bridewell Account (Form K) as having been attended during the period for which the Return is made.

^a Article 15, iv. (p. 835); Article 21, viii. x. (p. 839). See further Instructions as to the Medical Officer's periodical return, to be made to the Commissioners quarterly, and Form of same, p. 897, 899.

FORMS M 1 & 2^a.DISPENSARY
REGULATIONS:
16 DEC. 1853.

Estimate and Requisition for Medicines, &c.

FORM M 1.

Forms.

Estimate of Medicines, &c. required.

_____ Union.

_____ Dispensary District.

Medicines or Articles required.	Stock on hand at last Estimate, and supply since received thereon.	Since used.	Remaining on hand.	Quantity now required.

Signature: _____

Medical Officer of _____ Dispensary.

Approved by the Committee of Management of the _____
Dispensary District, this _____ day of _____ 185 .

Signature: _____

Presiding Chairman of Committee.

FORM M 2^a.Requisition transmitting preceding Estimate or a Copy
thereof to the Board of Guardians.

_____ Union.

_____ Dispensary District.

185 .

SIR,—By direction of the Committee of Management of the above Dispensary District, I herewith forward, to be laid before the Board of Guardians of the _____ Union, an Estimate of Medicines, &c., required for the use of the said Dispensary District, and am to request that the Board of Guardians will cause the same to be immediately supplied to the Medical Officer of the said Dispensary District, for the Dispensary situate at _____.

By order of the Committee,

Hon. Secretary, or Hon. Asst. Secretary.To the Clerk of the Board of Guardians
of _____ Union.FORM N^b.Notice for Posting up at each Dispensary and other
places in Dispensary Districts.

NOTICE.

_____ UNION.

_____ DISPENSARY DISTRICT, consisting of the Electoral
Divisions of _____ in the above Union:*[It is desirable that such description, by Parishes or otherwise,*^a Articles 15, v. (p. 835); 21, ix. (p. 839).^b Article 16, p. 835-6 : and see Circulars of Instruction, and further Notice cautioning against Inoculation, (p. 870 *et seq.*, 890.)

DISPENSARY should be given of the District as will enable the poor to understand what localities are included in it.]
 REGULATIONS:
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Forms. Dispensary situate at ——— (a sufficient description of the locality to be given.)

Times of Attendance of the Medical Officer at the Dispensary, every — day, and — day from — o'clock to — o'clock. Tickets for Medical Relief on attendance of the party at the Dispensary must be presented at the Dispensary within the hours and on the days here named.

Medical Officer, Dr. —, of —, (his place of residence to be stated.)

Visiting Tickets, for the attendance of the Medical Officer, at the Patient's Home, may be presented to the Medical Officer either at the Dispensary or at his Residence; but if presented at his Residence, they should be presented before — o'clock in the Morning, in order to insure his attendance on the same day where required.

The Committee of Management of the Dispensary District meet at the Dispensary situate at — on every —, at — o'clock in the — noon [*state ordinary day and hour of Meeting.*]

The following are the persons authorized to issue Tickets for Medical Relief in the above District:

Committee of Management:
 (*state names and places of residence.*)

Wardens:
 (*state names and places of residence.*)

Relieving Officers:
 (*state names and places of residence.*)

Without a Ticket being presented from one of the above persons, the Medical Officer is not bound to attend or afford Medical Relief to any poor person. But Vaccination is performed without a Ticket being required.

Children Vaccinated gratuitously during the hours of attendance of the Medical Officer at the Dispensary, as above mentioned; and they should be afterwards brought again for examination of the arm, on such days as the Medical Officer may direct in each case.

All persons are hereby cautioned against the dangerous practice of Inoculation; and poor persons are advised to present their children (if they have not been already successfully vaccinated,) at the Dispensary, for Vaccination, as the best preservative against Small-pox. Vaccination is performed at the Dispensary as above stated, on application, without any Ticket or payment being required. By an Act of Parliament passed on the 23rd of July, 1840, (3 & 4 Vic., cap. 29,) entitled "An Act to extend the practice of Vaccination," the practice of Inoculation with Small-pox virus is made punishable by Imprisonment. The following are the words of the 8th section of the Act:—

Extract from 3 & 4 Vict., cap. 29.

"§ 8. And be it further enacted, That any Person who shall, from and after the passing of this Act, produce or

attempt to produce in any Person, by Inoculation with Variolous Matter, or by wilful Exposure to Variolous Matter, or to any Matter, Article, or Thing impregnated with Variolous Matter, or wilfully by any other Means whatsoever produce the Disease of Small-pox in any Person, in England, Wales, or Ireland, shall be liable to be proceeded against and convicted summarily before any two or more Justices of the Peace in Petty Sessions assembled; and for every such Offence shall, upon Conviction, be imprisoned in the Common Gaol or House of Correction, for any Term not exceeding One Month."

By Order of the Committee of Management,

Honorary Secretary.

— of —, 185 .

FORM O*.

Form for a Board or Inscription to be conspicuously placed on the Exterior of each Dispensary.

DISPENSARY.

Open on*—days and—days, from—to—o'clock.

Vaccination gratis.

Medical Officer, Dr. or Surgeon, (*his name*), of (*his residence*.)

* Name the several Days of the Week determined upon by the Committee for the purpose.

[L.S.] Sealed with our Seal, this Sixteenth day of December, in the Year of Our Lord One Thousand Eight Hundred and Fifty-Three.

(Signed,) A. POWER.
J. M'DONNELL, M.D.
E. SENIOR.

ST. GERMANS.

I, EDWARD GRANVILLE, EARL OF ST. GERMANS, Lord Lieutenant General and General Governor of Ireland, do approve this Order.

By His Excellency's Command,

THOS. A. LARCOM.

* Article 16, (p. 836.)

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MEDICAL RELIEF:—CIRCULARS OF INSTRUCTIONS.

No. 2.—CIRCULAR OF INSTRUCTIONS TO MEDICAL OFFICERS OF DISPENSARIES, ACCOMPANYING THE FOREGOING GENERAL ORDER of 16TH DECEMBER, 1853.

POOR LAW COMMISSION OFFICE, DUBLIN,
22nd December, 1853.

SIR,

1. The Commissioners for administering the Laws for Relief of the Poor in Ireland, having deemed it expedient to revise the General Rules and Regulations for the Government of Dispensary Districts, have issued a General Order, dated the 16th December, 1853, containing amended Regulations for the government of Dispensary Districts, in pursuance of § 12 of the Medical Charities Act, 14 and 15 Vic., c. 68 ; and the Commissioners have directed that a copy of this Order, under their seal, be transmitted to you for your future guidance.*

2. The Commissioners refer you to Sections 9, 13, 15, and 19, of the Act^b, and to Articles 3, 21, and 22 of the Regulations contained in the Order of 16th December, 1853^a, as setting forth your duties as Medical Officer of a Dispensary District under the above Act.

3. The first-named section (§ 9 of Medical Charities Act^b) provides that, “every Member of the “Dispensary Committee, and every Relieving Officer and Warden acting for an Electoral Division “included in such Dispensary District, shall have “power to afford Medical Relief by the issue of a “Ticket for Medicine and Advice, or a Ticket, in “such Form as the said Commissioners shall prescribe, addressed to the Medical Officer of the “District, directing him to afford Medicine and “Advice to or attend any poor person resident “therein ; and it shall be the duty of the Medical “Officer to afford Medicine and Advice, or to attend “such poor person as thereby directed.” Some mis-

^a No. 1. (p. 829).

^b Pages 213 et seq.

apprehension having appeared to prevail in some instances as to the effect of these provisions and the instructions contained on the Forms of Tickets heretofore in use, the Commissioners have revised the Forms of Tickets and the Instructions relating to them^a so as to obviate any doubt in future as to the duty and responsibility of the Medical Officer in regard to the due and punctual attendance on any patient on whose behalf a Ticket requiring his attendance is presented, and at the same time to simplify the forms as much as practicable, and reduce the trouble of filling them up. The Regulations on this subject^a now issued, require that the Medical Officer "shall duly and punctually attend upon, either at the Dispensary during the appointed hours for attendance thereat, or at the home of the party on whose behalf application is made, or elsewhere, as the case may require, and supply all requisite medical and surgical advice and assistance to every poor person" in the District, on whose behalf a Ticket, in the prescribed Form, is presented; and the Medical Officer will be responsible for the due performance of this duty, and for any unnecessary delay which may occur in attending any patient after the presentation of a Visiting Ticket to him on behalf of such patient, whom he is bound thereupon duly and punctually to attend.

4. The Commissioners desire further to point out, as already intimated in the Instructions issued on a former occasion, that a Ticket for Medical Relief continues in force until it is cancelled by the Committee, in pursuance of the proviso in § 9 of the Act^b, or as long as the patient continues to present himself at the Dispensary in the case of a Ticket in the Form E 1, or until the termination of the case, if the Ticket be a Visiting Ticket in the Form E 2: and in the latter case, the Medical Officer is bound to continue his attendance in pursuance of a Visiting Ticket until such attendance is no longer required. If the Medical Officer have reason to

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^a Revised Forms E 1 and 2, and Instructions thereon, p. 848-850: and Article 21, i. ii. of Regulations (p. 837-8). ^b Page 214.

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believe any case to be an unfit one for the continuance of Medical Relief, it is competent to him at any time to report the circumstances of the case to the Committee for their directions^a: and with the view of enabling the Medical Officer to discharge any patient from the books by filling up the column for the last attendance at the Dispensary in the Register, (Form F, column 12 in the new Order^b,) it may be necessary for the Committee to adopt some rule or instruction for his guidance in this respect, in cases where the patient ceases to attend for a given period, without being discharged as cured, and without his case being recorded accordingly. In some instances, it seems to have been considered that if a person has not presented himself at the Dispensary for a fortnight, and in some cases for a period as short as ten days, he should be considered as no longer under treatment: but the Commissioners are disposed to think that this period is too short; and they have addressed the Dispensary Committee accordingly^c.

5. A difficulty also arises, in reference to the filling up of column 14 of the Medical Relief Register^a, headed "Result (as relieved, cured, died, &c.," where the patient ceases to attend at the Dispensary without apprising the Medical Officer. In the case of patients attended by the Medical Officer at their own homes, he will be able readily to record the result of a case which he so attends to its termination. With respect to patients attended at the Dispensary, in case of uncertainty as to the result after their last attendance there, and where the Medical Officer is not enabled to record their cure, or other ascertained result, he should enter in column 14 of the Register, the words "no further appearance," after the date of last attendance contained in the previous column, (12 or 13,) or make some similar entry according to the facts of the case.

6. By the Regulations now issued, the Dispensary Books and Forms have been reduced in num-

^a See § 9 of Dispensaries Act, p. 213-4.

^b Medical Relief Register, Form F, (p. 851).

^c See Circular to Committees, No. 3, par. 8, 9 (p. 870-1).

ber, and in some respects modified, with a view to render them more simple, and diminish the labour of the Medical Officer in this respect, as far as is consistent with a due record of the cases treated, of the nature and amount of relief afforded, and of the ordinary duties of the Medical Officer. With this view, it has been deemed unnecessary to retain in the Regulations the Case Book, the Index to that book, and to the Registers, and also the Monthly Return, (Form K in previous Regulations.) These three books being now dispensed with, a considerable diminution will it is hoped, be effected in this part of the duties of the Medical Officer.

7. It will however, doubtless, be convenient and necessary to have a ready means of reference to cases recorded in the Medical Relief Register ; and with this view, provision has been made for a brief index to the names and numbers therein, to be contained in the same book ; and the Commissioners recommend that this Index should be entered up daily in accordance with the last paragraph of the Instructions at foot of Form (F)^a.

8. The Commissioners, in their Circular of 6th July, 1852, adverted to some diversity of practice which had appeared to prevail with regard to the mode of filling up some of the Dispensary books ; and with a view to avoid future misapprehensions in reference to those now retained, the Commissioners deem it advisable to repeat, with the requisite adaptations, such of the Instructions contained in that Circular as are applicable to the duties of the Medical Officer under the present Regulations.

9. With regard to the *Medical Relief Register* (Form F),^a it appears to have been erroneously supposed, in some instances, that *each attendance* on a patient at the Dispensary, or *each visit* to a patient at his own home or elsewhere, is to be recorded in this book, which would render it necessary that the same case should be entered several times in the Register, (either with a fresh number or with the same number repeated,) instead of being

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entered therein *once only*. That a new entry is not intended to be made *in this book*, during the continuance of the patient's illness, will be evident from the Instructions on the Form, which state that, "the same patient is not to have a second number, except in the event of a second or subsequent illness within the year, in which event he should, on presentation of a fresh Ticket, be registered again with a fresh number, as a new case." In this event, a reference should be "also made, in the column for observations, to his previous number." The *several attendances* on the patient at the Dispensary or elsewhere, are to be recorded in the Attendance and Prescription Book.

10. In column 2 of the Register^a ("Date of Ticket,") is to be entered the date which the Ticket bears, as inserted thereon by the person issuing the Ticket: and if the Medical Officer thinks fit, he can add in the column for observations the date of its presentation to him in any case where he may deem it necessary or advisable to do so.

11. In regard to columns 12 and 13 of the Medical Relief Register^a, (headed in the late Order, "Date of last Attendance" at the Dispensary, or patient's home,) it appears to have been erroneously supposed in some instances, that this was intended for the date of the last attendance *at the time of laying the Register before the Committee*, or for the date of *each* attendance. The columns here referred to are intended to contain the date of the *final attendance upon the case*, either at the Dispensary or at the patient's home,—that is to say, the last attendance at the *termination of the case*; column 3 or 4 ("Date of First Attendance"), and column 12 or 13 ("Date of Final Attendance"), taken together, thus showing the duration of the case. In order that the Medical Officer may be enabled correctly to fill up these columns, it will be necessary for him to refer to the record of Attendance and Prescriptions in each case.

^a Form F, p. 851.

12. The methodical arrangement and preservation of these particulars is therefore a matter of much practical importance, and if carefully carried out will provide a permanent record of the treatment of the patient. The Commissioners annexed to their Circular of 6th July, 1852, a form of Prescription or Treatment Paper, intended to include also the date of each attendance, such as has been adopted at some Dispensaries, but simplified in some respects so as to adapt it for use in the Dispensary Districts generally. These Papers, as well as the Tickets presented on the application for Medical Relief, should be preserved at the Dispensary, where they may be required for reference; and this record of Attendances and Prescriptions being regarded as of importance, the Commissioners have directed that these particulars shall be entered and preserved in a book, called in the present Regulations the *Attendance and Prescription Book* (Form G)^a, as part of the duty of the Medical Officer. The directions as to this book are not designed in any way to interfere with the discretion and professional responsibility of the Medical Officer in the treatment of the individual cases which he has to attend. The particulars to be entered therein, as to the treatment or prescriptions, may generally be very brief, as pointed out in the Instructions on the form, and the Commissioners request that they may be carefully and regularly attended to. With this view, the requisite particulars should be entered up daily in regard to any cases attended on each day.

13. The *Vaccination Register* (Form H. in the present Regulations)^a, has been simplified by retaining only one column for the entry of the word "Primary" or "Secondary," and one column for the entry of the word "Successful" or "Unsuccessful," as the case may be, instead of four columns for such entries; and a column for the "Sex" of the child has been added. The Commissioners request your attention to the Instructions at foot of the form, and they take this opportunity of

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again impressing on you the importance of the duties of the Medical Officer in regard to the Vaccination of all persons who may come to him for the purpose, in pursuance of § 15 of the Act. In the case of persons coming for vaccination, it is not necessary that a Ticket should be obtained and presented, as is required where application is made for Medical Relief. The Medical Officer should take care, as far as practicable, to keep up a supply of Vaccine Lymph, for use at the Dispensary ; and where such supply obtained from children presented to him for vaccination is insufficient, he should make a requisition for the necessary supply, in the ordinary manner^a. The Commissioners transmit herewith another copy of their Circular of the 11th July, 1853^b, on the subject of Vaccination, to which they desire again to call your attention.

14. A *Report Book* (Form I^c) is directed to be provided, in which the Medical Officer should report to the Committee of Management any matters to which it may be requisite for him to call their attention, in connexion with the due execution of the provisions of the Act and the Regulations in the District for which he is appointed, and the performance of his duties therein. In this book he can report from time to time to the Committee as to the sanitary state of his District generally, upon which he should especially report to them in case of the prevalence of any epidemic disease. And, in the event of any case of Inoculation with small-pox virus coming under his notice, he should report the facts to the Committee, with a view to steps being taken for the punishment of any person pursuing this illegal practice, if the offender be known, in pursuance of § 8 of the Vaccination Extension Act, 3 & 4 Vic., c. 29, referred to in the enclosed Circular of 11th July last^b.

15. The 15th section of the Medical Charities Act requires, that the Medical Officer of a Dispen-

^a Form M, (p. 855). And see Circular to Boards of Guardians, as to supply of Vaccine Lymph, p. 883.

^b No. 5, p. 878, and further Circulars as to Vaccination and Inoculation, p. 883 *et seq.*

^c Page 853.

sary District should submit to the Dispensary Committee an Account of the medicines which he may supply to the prisoners and inmates of any Bridewell or House of Correction which he is required by the Act to attend within his District. The Form of *Bridewell Account* (Form K^a) has been prepared accordingly; but the Commissioners have not deemed it necessary to retain in this Form the column for the *Cost* of the medicines supplied to such inmates from the Dispensary stock, the Medical Officers not having the means in all cases of stating the amount according to the prices in the contracts made by the Guardians for the supply of medicines for Dispensary Districts.

16^b. With regard to the *Medical Officer's Return*^b (Form L) the Commissioners request that this Return may be transmitted to them for each calendar month, immediately on the close of the month. This form supersedes the Monthly Return heretofore required, which, however, should be transmitted for the *present* month, and the new Form (L) should commence with and for the next month, and be forwarded immediately after the close of January next, and of each succeeding month, until otherwise directed^b.

17. With regard to the periodical Estimate and Requisition for Medicines, &c., (Forms M 1 and 2)^c, it appears to have been in some cases supposed, that on each occasion when an Estimate is sent in, it should contain an account of *all the articles in the Dispensary*, which would involve the necessity of taking stock of the entire contents of the Dispensary on every such occasion. The heading of the Form of Estimate (M 1), is "Estimate of Medicines, &c., *required*;" and the particulars indicated in the Form need only be filled up (in accordance with Article 15, No. v, and Article 21, No. ix, of the Regulations,) in reference to those Medicines,

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^a Page 853.

^b See Circular of 31 May, 1855, (p. 897,) to existing Medical Officers, and Letter of Instructions on appointment of any new Medical Officer, (pars. 6, 7, p. 912-3), by which the instructions in paragraph 16 of the present Circular are superseded.

^c Page 855.

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&c., of which a further supply is required, stating in the respective columns for the purpose, the stock which was on hand of these articles after the last previous supply, the quantity since used and remaining, (which can be *estimated* as nearly as may be,) respectively, and the further quantity required. The Estimates and Requisitions for Medicines are to be made out in duplicate, one copy for transmission to the Guardians, and one to be retained at the Dispensary for comparison with the supply afterwards received, the Invoice of which the Commissioners have requested the Clerk of the Union to forward to the Medical Officer, to be retained and filed at the Dispensary in all cases.

18. The Commissioners having received communications from the Medical Officers of various Dispensary Districts, in reference to the direction as to column 1 of the Medical Relief Register (Form F)^a, in the late Regulations, relating to the period when a fresh series of numbers is to be commenced, and inquiries having been made whether the year is to be taken as commencing on the 1st of January in each year, or to be reckoned from the date at which Dispensary Relief under the Medical Charities Act commenced in the respective Districts, or from what other date, the Commissioners have to state, for the guidance of Medical Officers generally, in reference to the Medical Relief Register, as well as the Vaccination Register, that the year should be considered as terminating with the 31st of December, and a new series of numbers be commenced with the commencement of each new year, on the 1st of January, in accordance with the Instructions appended to the Form in the new Regulations.

19. It will not, however, be necessary to close the existing Register and commence a fresh book, unless the present book be filled. The existing Register should continue to be used until it is filled up, a short space being left between the last cases in the old year and the first case in the new year; the date of the new year (1854 for the next year,)

being also inserted immediately above the first entry for the new year. And it will not be necessary to apply for any books in the amended Forms prescribed by the present Regulations, where the corresponding books in the Forms annexed to the previous Regulations are in use and not yet filled up; as such books can be continued in use until they are filled up. But in case the Attendance and Prescription Book be not at present in use, it should be at once obtained in the usual manner, and care should be taken that any books hereafter required should be obtained in the Forms directed to be used for the future, by the Regulations contained in the General Order of 16th December, 1853.

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By Order of the Commissioners,

W. STANLEY, *Secretary.*

*To each Medical Officer
of a Dispensary District.*

No. 3.—CIRCULAR OF INSTRUCTIONS TO DISPENSARY COMMITTEES, ACCOMPANYING THE GENERAL ORDER OF 16TH DECEMBER, 1853^a.

Instructions
to Dispensary
Committees:
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POOR LAW COMMISSION OFFICE, DUBLIN,
22nd December, 1853.

SIR,

1. The Commissioners for administering the Laws for Relief of the Poor in Ireland forward herewith to the Dispensary Committee, a copy of a General Order under the Commissioners' Seal, dated 16th December, 1853^a, containing amended Rules and Regulations issued by them, in pursuance of § 12 of the Act 14 & 15 Vic. c. 68, for the Government of Dispensary Districts, and for the Guidance of Boards of Guardians and the Committees of Management and Officers of the Dispensary Districts, respectively.

2. The Commissioners at the same time enclose for the information of the Committee, a Copy of a Letter which has been addressed to the Medical Officers^b of the several Dispensary Districts, and of the Circular referred to therein^c.

^a No. 1, p. 829.

^b No. 2, p. 858.

^c No. 5, p. 878.

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3. The General Rules now transmitted include some regulations and instructions heretofore contained in the Orders declaring Dispensary Districts issued before the Committees for the same were constituted, and in Circulars issued from time to time by the Commissioners. Thus Articles 3 & 4 contain regulations with a view to each Medical Officer and Committee of Management being kept informed at all times, of the Names and Residences of all the persons authorized, under § 9 of the Act, to issue Tickets for Medical Relief in the Dispensary District, and of the cessation of such authority on the termination of the period for which any of such persons shall have been appointed; Article 16 relates to the due Notification of the Dispensary arrangements, and Articles 22 and 23 relate to the provision to be made for the performance of the duties of the Medical Officer in case of his inability to perform them, from sickness or other sufficient cause.

4. In consequence of numerous applications received by the Commissioners, they have in Article 7, made provision enabling the Committee of Management to hold their ordinary meetings for the transaction of the general business of the Dispensary, either once in each fortnight or in each calendar month, as the Committee may deem sufficient and fit, subject to the Commissioners' sanction. But such meetings can be held at any shorter intervals if deemed desirable or necessary; and in reference to the due revision of the cases entered in the Medical Relief Register, in pursuance of the regulations in that behalf, and the power conferred on the Committee of cancelling Tickets for Medical Relief given to persons who are not fit objects for Dispensary Relief, under § 9 of the Act, the Commissioners recommend the Committee to consider the propriety of fixing the days for their ordinary meetings at the shorter of the intervals named. And so long as a necessity exists for putting in force the provisions of the Nuisances Removal and Diseases Prevention Acts, under the Order in Council and the Directions and Regulations issued in pursuance thereof, the Committee

should hold more frequent meetings for the purposes of those Acts, as already suggested in paragraph 5 of the Commissioners' Circular to Dispensary Committees, dated 12th October last.

5. It has been represented to the Commissioners that in some cases, Committees of Management have not held their ordinary meetings regularly, owing to the want of attendance of what they deemed a sufficient number of Members to constitute a meeting; and the Commissioners have received inquiries as to the number of Members that may constitute a quorum or a meeting of the Committee. In the absence of any provision on this point in the Act, the Commissioners have expressed their opinion in reply to inquiries on the subject, that inasmuch as the Act does not declare any number of members of the Committee to be a quorum, they consider that two members will constitute a valid meeting of the Committee, and be competent to discharge the ordinary business; but that one Member could not, in the opinion of the Commissioners, examine and sign the Register of Cases of Medical Relief, and discharge the duty devolved on the Committee under § 9 of the Act.

6. Under Article 15, No. i. of the General Rules, the Minutes of any Meeting of the Committee should be signed by the Chairman of the Meeting, the proceedings of which are recorded therein; and the Commissioners request that the Committee will see that provision is made for the safe custody of the Minute Book, and other books and documents of the Dispensary, in accordance with Article 11, at the Dispensary or one of the Dispensaries of the District, which should also be the place of meeting of the Committee, where the Books should be kept for their inspection from time to time.

7. By the new Regulations, the books and forms have been in some respects modified, with a view to simplify them and reduce the number of books to be kept, some of those appended to the former Regulations being for the future dispensed with; namely, the Case Book, the Index to that book and to the Registers, and the Monthly Return, (Form K in the old Regulations), for which a more simple

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form of return (Form L in the new Regulations), has been substituted. The new form of Monthly Return should be used after the close of the present month^a. With regard to the other books and forms, in which but little alteration has been made, it will not be necessary that those at present in use should be discontinued until they are filled up, when fresh books should be procured in the forms now prescribed. It has been deemed advisable that the record of Attendances and Prescriptions should be kept in a book in preference to separate papers, and the Form attached to the Commissioners' Circular of 6th July, 1852, has been somewhat altered in the Form (H) contained in the present Regulations, so as to show whether the Patient is attended at the Dispensary or on a Visiting Ticket at his own home. The Commissioners request that the Committee will see that the books are duly kept and entered up by the Medical Officer, who is required to submit the several books to the inspection of the Committee, at their meetings from time to time.

8. The Commissioners request the special attention of the Committee to the following passages in the accompanying Instructions to Medical Officers^b:

“Section 9 of the Medical Charities Act provides that
 “every Member of the Dispensary Committee, and
 “every Relieving Officer and Warden acting for an
 “Electoral Division included in such Dispensary Dis-
 “trict, shall have Power to afford Medical Relief by the
 “issue of a Ticket for Medicine and Advice. or a Ticket,
 “in such Form as the said Commissioners shall prescribe,
 “addressed to the Medical Officer of the District, direct-
 “ing him to afford Medicine and Advice to or attend any
 “poor person resident therein; and it shall be the Duty
 “of the Medical Officer to afford Medicine and Advice,
 “or to attend such poor Person, as thereby directed.”
 “Some misapprehension having appeared to prevail in
 “some instances, as to the effect of these provisions and
 “the instructions contained in the Forms of Tickets
 “heretofore in use, the Commissioners have revised the
 “Forms of Tickets and the instructions relating to them,
 “so as to obviate any doubt in future as to the duty and
 “responsibility of the Medical Officer, in regard to the
 “due and punctual attendance on any patient on whose

^a See note ^b in p. 865, and Circulars therein referred to.

^b No. 2, p. 858.

“behalf a ticket requiring his attendance is presented, and at the same time to simplify the Forms as much as practicable, and reduce the trouble of filling them up. The Regulations on this subject now issued, require that the Medical Officer shall duly and punctually attend upon, either at the Dispensary during the appointed hours for attendance thereat, or at the home of the party on whose behalf application is made, or elsewhere, as the case may require, and supply all requisite Medical and Surgical Advice and Assistance, to every poor person in the District, on whose behalf a Ticket in the prescribed Form is presented: and the Medical Officer will be responsible for the due performance of this duty, and for any unnecessary delay which may occur in attending any patient after the presentation of a Visiting Ticket to him on behalf of such patient, whom he is bound thereupon duly and punctually to attend.”

“A Ticket for Medical Relief continues in force until it is cancelled by the Committee, in pursuance of the proviso in § 9 of the Act, or as long as the patient continues to present himself at the Dispensary, in the case of a Ticket in the Form E 1, or until the termination of the case, if the Ticket be a Visiting Ticket in the Form E 2: and in the latter case, the Medical Officer is bound to continue his attendance in pursuance of a Visiting Ticket, until such attendance is no longer required. If the Medical Officer have reason to believe any case to be an unfit one for the continuance of Medical Relief, it is competent to him at any time to report the circumstances of the case to the Committee for their directions: and with the view of enabling the Medical Officer to discharge any patient from the books, by filling up the column for the last attendance at the Dispensary in the Register (Form F, column 12 in the new Order,) it may be necessary for the Committee to adopt some rule or instruction for his guidance in this respect, in cases where the patient ceases to attend for a given period, without being discharged as cured, and without his case being recorded accordingly. In some instances, it seems to have been considered that if a person has not presented himself at the Dispensary for a fortnight, and in some cases for a period as short as ten days, he should be considered as no longer under treatment; but the Commissioners are disposed to think that this period is too short.”

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9. Besides determining the period to be fixed upon for this purpose, so, as to enable the Medical Officer to discharge a patient from the Register, by recording his last attendance, the Committee will have to fix the time which they may recommend

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to applicants for the presentation of Visiting Tickets to the Medical Officer, in order to ensure his attendance on the same day. The Committee will observe that an alteration of some importance has been made in the Form of Visiting Ticket. The Instructions at foot of the Medical Relief Ticket Check Books, in the General Order of 16th instant, state as follows :—

“ A Visiting Ticket, for the attendance of the Medical Officer at the Patient’s Home, (Form E. 2,) may be presented to the Medical Officer either at the Dispensary, within the hours of his attendance there, or at his Residence. If presented at his Residence, it should be presented before o’clock in the morning, in order to ensure his attendance on the same day, where required.”

The hour to be here named is to be fixed by the Committee according to the circumstances of each District ; and the Committee should take care that the hour named should not be so early, as to preclude a Ticket from being obtained for any sick person and presented to the Medical Officer, from any part of the District, before that hour.

10. With regard to columns 18 to 21 of the Medical Relief Register, in the Form now prescribed^a, which are to be filled up by the presiding Chairman of the Committee of Management, at the meetings at which the Register is submitted to the Committee from time to time, the Commissioners desire to call attention to the Instructions printed at foot of the form in the General Rules, namely :—

“ Columns 18 to 21.—The Chairman of the day when the case is first submitted in the Register to the Committee, should insert his Initials in Column 18, and the Date of the Meeting at which the case is so submitted, in Column 19. In case the person to whom a Ticket has been given be declared at the Meeting at which the case is first submitted, or at any subsequent Meeting of the Committee, by a Majority of the Members then present, not to be a fit object for Dispensary Relief, the Ticket is to be cancelled, and the presiding Chairman should insert his Initials in Column 20, and the Date of the Meeting at which the direction for cancelling the Ticket is given, in Column 21. Any other

^a Form F, p. 851.

“particulars or directions as to the case may be inserted
 “by the Medical Officer or presiding Chairman of the
 “Committee, respectively, in the last Column, under the
 “head of Observations, with Signature and Date.”

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In some instances it appears that columns 20 and 21, (19 and 20 in the old form), have been filled up as if the Ticket had been cancelled, *in every case where the patient had ceased to receive Dispensary Relief on its being no longer required*, and not merely in cases where the Ticket had been cancelled by the Committee, in pursuance of the proviso in § 9 of the Act. Columns 20 and 21, however, are not intended to apply to cases in which Dispensary Relief has been given and the patient ceases to attend on the termination of the case, in the ordinary manner, but should be filled up in reference to *those cases only in which a Ticket for Medical Relief is cancelled on the ground that the person to whom the Ticket had been given, and who may be in receipt of Medical Relief in pursuance of such Ticket, is not a fit object for such Relief*, and thereupon becomes disentitled to further relief.

11. With regard to the periodical Estimate and Requisition for Medicines, &c., (Forms M 1 and 2)^a, it appears to have been in some cases supposed, that on each occasion when an Estimate is sent in, it should contain an account of *all the articles in the Dispensary*, which would involve the necessity of taking stock of the entire contents of the Dispensary on every such occasion. The heading of the Form of Estimate (M 1), is “Estimate of Medicines, &c., *required*,” and the particulars indicated in the Form need only be filled up, (in accordance with Article 15, No. v, and Article 21, No. ix, of the Regulations), in reference to those Medicines, &c., *of which a further supply is required*, stating in the respective columns for the purpose, the stock which was on hand of these articles after the last previous supply, the quantity since used and remaining, (which can be *estimated* as nearly as may be), respectively, and the further quantity required.

^a Page 855.

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Supplies of the prescribed Books, Forms, and other requisites for the Dispensary, can be applied for in similar manner by Requisitions to the Board of Guardians. Any such Estimates and Requisitions are to be made out in duplicate, as provided in Article 15, No. v, so that a copy of each Estimate and Requisition sent to the Board of Guardians may be kept at the Dispensary for comparison, on receipt of the articles, with them and the Invoice, which should also be kept at the Dispensary, the Clerk of the Union having been requested to retain a copy for the use of the Guardians.

By Order of the Commissioners,

W. STANLEY, *Secretary.*

*To the Honorary Secretary
of each Dispensary Committee.*

Circular to
Guardians,
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NO. 4.—CIRCULAR TO BOARDS OF GUARDIANS, ACCOMPANYING THE GENERAL ORDER OF 16TH DECEMBER, 1853^a.

POOR LAW COMMISSION OFFICE, DUBLIN,
22nd December, 1853.

SIR,

1. The Commissioners for administering the Laws for Relief of the Poor in Ireland forward herewith to the Board of Guardians, a Copy of a General Order under the Commissioners' Seal, dated 16th December, 1853^a, containing amended Rules and Regulations issued by them, in pursuance of § 12 of the Medical Charities Act, 14 & 15 Vic. c. 68, for the Government of Dispensary Districts, and for the guidance of Boards of Guardians and the Committees of Management and Officers of the Dispensary Districts, respectively.

2. The Commissioners enclose also for the information of the Board of Guardians copies of Circulars of Instructions^b which they have addressed to the Dispensary Committees and the Medical Officers, respectively, of the several Dispensary Districts.

3. By the new Regulations, some alterations are made in the Dispensary Books and Forms, with the

^a No. 1, p. 829.

^b No. 2, (p. 858) ; No. 3, (p. 867) ; No. 5, (p. 878).

view of simplifying them and reducing the number of books required to be kept, three of those heretofore prescribed being dispensed with for the future. With regard to those retained in an amended form, it will not be necessary that the corresponding books heretofore in use, where not yet filled up, should be immediately discontinued, or that fresh books should be supplied until those already in use are filled up; the existing books may continue to be used, so that no additional expense for providing books and forms need be incurred, until fresh ones are required. Whenever fresh books are required, they should be supplied in the Forms now prescribed by the General Order of the 16th instant: and when a supply is ordered, the books should be described as in the Regulations now issued, and it will be your duty to see that the Books and Forms are properly prepared, in accordance with the respective Forms and the printed directions attached thereto, in the General Order.

4. Your attention is further requested to your duties as Clerk of the Union, under Articles 1, 2, 3, 4, 28, and 29^a, of the General Order of the 16th December, 1853, herewith transmitted, which contain regulations similar to those contained in corresponding regulations or directions previously issued.

5. The Commissioners in a Circular of 26th July last, stated that they had received communications from which it appeared that inconvenience had arisen in some instances owing to the Invoices of medicines and medical appliances received from the Contractors and supplied to the Dispensaries, not having been forwarded to the Medical Officer of the Dispensary with the supplies; and as it appeared that such Invoices would be of use for comparison with the Requisitions of the Medical Officer and Dispensary Committee, and with the supplies themselves, for the purpose of ascertaining that the latter correspond therewith, the Clerk of each Union was requested to take care that the Invoice received from the Contractor on each occasion, or a copy of it, be transmitted to the Medical Officer, to be com-

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pared with the articles received by him, and to be filed at the Dispensary. It has since appeared that this Instruction has not in all instances been complied with, the Invoice not having been received by the Medical Officer with the supplies in some cases, or having been returned to the Clerk, and not filed at the Dispensary, where it has been required for reference.

6. In the Dispensary Regulations, now issued, it is directed (Article 15, No. v,) that the Medical Officer's Estimates of Medicines, &c., required, and the Requisitions of the Dispensary Committee to the Guardians for the same, shall be made out in duplicate, one copy for transmission to the Guardians, and one to be retained at the Dispensary. In like manner, the Invoices of the Medicines, &c. supplied and received, should be made out in duplicate, one copy to be retained by you for the use of the Guardians, and one copy to be transmitted to the Medical Officer for the purpose above referred to and for retention at the Dispensary, where it is to be filed for the use of the Committee and for reference. The Commissioners request that you will in future see that the Invoices be made out in duplicate and transmitted accordingly. For this purpose, the simplest course would probably be that in transmitting an Order to the Contractor for Medicines, &c., you should request that the Invoice may be sent to you in duplicate, and you should send one copy of it to the Medical Officer; but if only one Invoice be received from the Contractor, a copy of it should be made and retained by you, so that the Invoice may be duly forwarded to the Medical Officer.

7. The Commissioners take this opportunity of calling the attention of the Guardians to the Commissioners' Circulars of 11th and 12th July last^a, relating to the provision made for Vaccination, and the mode of procuring supplies of effective Vaccine Lymph. The General Order now issued contains a regulation as to the Notifications (Article 16, and Forms N and O,) respecting Vaccination and the

^a Nos. 5, 6, (p. 878, 883).

general Dispensary arrangements recommended in the Circular of 11th July ; and the Commissioners refer the Guardians to the Circular of 12th July as to the mode of ensuring supplies of effective Vaccine Lymph from time to time when required^a.

8. Article 27 of the Regulations provides as heretofore for the supply of the necessary Books, Stationery, and Forms, for the use of the Dispensary Districts by the Board of Guardians, and for the supply of Check Books of Medical Relief Tickets to the several parties authorized to issue them. An important alteration having been made in the Form of Visiting Ticket, the Commissioners request that the Guardians will cause a Check Book of Tickets in Form E 2, according to the Form now prescribed, to be furnished to each person authorized to issue such Tickets in the respective Dispensary Districts in the Union, who should be requested to use this Form in future, instead of the Form heretofore used, in cases in which it is necessary to issue a Visiting Ticket. The Commissioners also request that the Guardians will cause the Attendance and Prescription Book (Form G,) now included in the Order, to be supplied to every Dispensary Medical Officer not already furnished with a Book of Prescription Papers in the Form attached to the Commissioners' Circular of 6th July, 1852, for which the present Form (G) is substituted, a slight alteration having been made in the Form with the view of distinguishing attendances at the Dispensary and at the patient's home, respectively.

By Order of the Commissioners,

W. STANLEY, *Secretary.*

*To the Clerk of the Board of Guardians
of each Union.*

^a No. 6, p. 883: Circulars as to Vaccination and Inoculation, p. 878 *et seq.*

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VACCINATION AND INOCULATION.

Vaccination
and
Inoculation,
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Circular of
11 July, 1853.No. 5.—CIRCULAR TO DISPENSARY COMMITTEES AND
MEDICAL OFFICERS, OF 11TH JULY, 1853, REFERRED
TO IN FOREGOING INSTRUCTIONS, AND TRANSMITTED
ALSO TO BOARDS OF GUARDIANS.^aPOOR LAW COMMISSION OFFICE, DUBLIN,
11th July, 1853.

SIR,

1. The Commissioners for administering the Laws for Relief of the Poor in Ireland, deem it advisable at the present time to call the attention of the Committees of Management and Medical Officers of Dispensary Districts, to the provision made under the Medical Charities Act for the performance of Vaccination.

2. From Returns which the Commissioners have had before them, and from the Reports of their Medical Inspectors, they have observed that in many Districts this part of the duty of the Medical Officer appears to have been performed with much zeal and success, a large number of cases in which the operation has been duly and successfully performed being reported. But in other Districts, on the other hand, it appears that the number of cases of Vaccination performed by the Medical Officer has been very small, that few applications for Vaccination have been made to him, and that in some Districts no applications at all have been made to the Medical Officer for Vaccination during considerable periods, and the practice appears in fact in such cases to have fallen into disuse as a part of the Dispensary duty. At the same time, it appears from reports recently received that small-pox has been prevalent in several Districts, and that the practice of Inoculation with small-pox virus has extensively prevailed, and is still prevalent, in some Districts.

3. With regard to the injurious practice of Inoculation with small-pox virus, the Commissioners desire to call attention to the provisions of the 8th section of the Act of Parliament passed in 1840,

^a See Circular to Boards of Guardians, of 12 July, 1853, (No. 6. p. 883).

for the Extension of Vaccination, (3 and 4 Vic., cap. 29^a), by which Inoculation with small-pox is made an offence punishable as therein provided. The section, which still continues in force, enacts—

“That any person who shall, from and after the passing of this Act, produce or attempt to produce in any person, by Inoculation with variolous matter, or by wilful exposure to variolous matter, or to any matter, article, or thing, impregnated with variolous matter, or wilfully by any other means whatsoever produce the disease of Small-Pox in any person in England, Wales, or Ireland, shall be liable to be proceeded against and convicted summarily before any two or more Justices of the Peace in Petty Sessions assembled; and for every such Offence shall, upon conviction, be imprisoned in the Common Gaol or House of Correction, for any term not exceeding One Month.”

4. The 13th section of the Medical Charities Act, 14 & 15 Vic., cap. 68, provides that “the Medical Officer of every Dispensary District, constituted under this Act, shall and is hereby required to vaccinate all persons who may come to him for that purpose^b,” and the Commissioners, in their Circular of the 7th July last, recommended, with a view as far as possible to prevent any impediment to persons obtaining the benefit of Vaccination, as well as Medical Relief where requisite, through ignorance as to the proper parties to whom they should apply, or the places at which they should apply, under the new arrangements, that printed Notices or Placards should be procured and posted in conspicuous places throughout the Dispensary District, as well as at each Dispensary itself; such Notices stating the locality of the Dispensary or Dispensary Stations in the District, the days and hours of attendance at each, the Name and Residence of the Medical Officer, and other particulars, and also announcing that a Ticket is not required for Vaccination, as in the case of an application for ordinary Medical Relief.

5. As changes occur from time to time in the parties authorized to issue Tickets for Medical Relief, and otherwise in the Dispensary arrange-

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^a Page 284; and note ^a thereon, in p. 285.

^b Page 216; and see note ^b in p. 217.

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ments, it is desirable that such Notices should be renewed from time to time, and posted at each Dispensary after the completion of the Committee of Management, and appointment of Wardens, in each year; but it appears that at the time of the Inspector's attendance in some Districts, such notices or placards had not been circulated or posted in accordance with the Circular of 7th July last, probably owing in some cases to the Committee of Management not having been duly completed at the time. As the constitution of the Committees for the present year is now generally complete, the Commissioners recommend that if such notices announcing the existing Dispensary arrangements are not posted in the District, steps should now be taken for obtaining and circulating them in manner suggested, by having them posted in conspicuous places throughout the District, as well as at the Dispensary itself. With this view, a copy of the Form of Notice, filled up with the necessary particulars, should be transmitted to the Board of Guardians, with a requisition for the number of copies required; and it may be advisable under the circumstances above stated, to add to the form of placard suggested, a notification of the provisions of the Vaccination Extension Act, above referred to, by printing section 8, as above quoted from that Act, on the placard itself. A copy of the form of Notice amended accordingly, is annexed hereto^a; and the Commissioners recommend that steps should be taken for procuring and circulating copies without delay, if similar notices in this form or the form heretofore in use are not already issued. It would also be desirable that in all cases a Notice should be painted, or affixed by a board, on the exterior of the Dispensary, in a form similar to that hereto annexed^b.

6. The Commissioners desire further to point out, that there is no restriction or limitation as to the classes or description of persons who may avail

^a See Form N, now prescribed by General Rules of 16th December, 1853, Article 16, (p. 835, 855.)

^b Form O, prescribed by General Rules of 16th December, 1853, Article 16, (p. 836, 857.)

themselves of the above provision for obtaining the benefit of Vaccination. The Act passed in 1840 "to extend the Practice of Vaccination," provided for the Vaccination of all persons who might come for that purpose. The Medical Charities Act, which has put an end to the separate contracts for Vaccination which previously existed, and requires that Vaccination should be performed as part of the ordinary duty of the Medical Officers of Dispensaries^a, provides in like manner that they shall vaccinate "all persons who may come" to them for that purpose.

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7. In some districts it appears to have been a practice to require that a sum of money, (as, a shilling or other amount,) should be deposited with the Medical Officer, by every person bringing a child to be vaccinated, such deposit to be returned after the child shall have been presented again for inspection on a subsequent day. In reference to this practice, the Commissioners desire to observe that there is no provision in the Medical Charities Act authorizing such a course; and the Medical Officer would not be justified in refusing to vaccinate without receiving a pecuniary deposit, which could not be made compulsory.

8. The object of the practice here alluded to appears to have been to induce the parties bringing children for Vaccination, to present them again on a subsequent day for inspection, in order that it may be ascertained that the operation has had a successful result. But it appears from reports which the Commissioners have received, that this object has not been uniformly attained by the practice of requiring a pecuniary deposit, as in many instances persons of sufficient means to be able to leave a pecuniary deposit have not again presented themselves after the first application, and have not applied for the return of the deposit. On the other hand, it is to be apprehended that if it were generally understood that a pecuniary deposit, however small, were required, it would operate amongst the poorer classes as a check to their

^a § 13 of 14 & 15 Vic. c. 68 p. 216-7), and note thereon.

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availing themselves of the benefit of Vaccination, which it has been the object of the Legislature to promote and extend as much as possible; and it may be observed that the inconvenience to the poor, of requiring such deposit, is in direct proportion to their want of means, its tendency being to check the applications to the Dispensary for Vaccination from those who are unable to procure it out of their own resources, and who are therefore the fittest objects for obtaining the advantage of gratuitous Vaccination at the Dispensary.

9. The Commissioners trust that the Medical Officer will impress on all persons applying to him for Vaccination, the importance and advantage of bringing the children again for subsequent inspection, and will endeavour by every proper means to induce them to do so; but at the same time, they do not consider it advisable that for this purpose any course should be adopted, such as that of requiring a pecuniary deposit, which may have the effect of altogether preventing a person from applying, and which is not sanctioned by the Act of Parliament. Vaccination where properly performed is, in a large proportion of cases, successful on the primary operation: and it is better that this should be performed than that any obstacle to it should arise from the attempt to enforce the return of the applicant by requiring a pecuniary deposit.

10. The Medical Officer should, wherever practicable, induce the parties applying, to present the child again on a subsequent day for inspection, not only with a view to its being ascertained that the Vaccination has been successful, but also for the purpose of keeping up a supply of vaccine lymph. The Medical Officer should take care to keep up sufficient supplies of vaccine lymph at the Dispensary, and when the supply taken from persons presented there fails, or where the Medical Officer cannot otherwise obtain it, application should be made to the Board of Guardians in the usual manner for a fresh supply. The Commissioners have addressed the Board of Guardians in reference to the supply of vaccine lymph; and in cases where they subscribe for the Dispensary to the Cow Pock In-

stitution in Dublin, the Medical Officer of the Dispensary District should be apprised of the fact, if not already so informed, in order that he may be enabled to apply direct to the Institution for the lymph required from time to time.

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11. The Commissioners trust that the Committees of Management and Medical Officers of Dispensaries will use every means in their power to promote and extend the practice of Vaccination throughout their respective Districts, and to discourage and suppress that of Inoculation wherever the latter is found to prevail. It is unnecessary to dwell on the value and importance of Vaccination as a protection against the suffering and mortality arising from small-pox; but they desire to observe that the general practice of Vaccination will no doubt tend to diminish the labour which would otherwise fall upon the Medical Officer, in case small-pox, from its highly contagious character, should become prevalent amongst the poor in his District; and at the same time, by tending to prevent the prevalence of this disease, will no doubt tend also to the saving of the rates, by preventing an increase of sickness and consequent destitution from this cause, whereby the demands for relief at the cost of the rate-payers would be increased.

12. The Commissioners request that this Circular may be communicated to the Medical Officer, as well as laid before the Committee of Management.

By Order of the Commissioners,

W. STANLEY, *Secretary.*

*To the Honorary Secretary
of each Dispensary Committee.*

No. 6.—VACCINATION AND VACCINE LYMPH.—CIRCULAR TO BOARDS OF GUARDIANS, OF 12TH JULY, 1853, REFERRED TO IN FOREGOING INSTRUCTIONS OF 22ND DECEMBER, 1853.

Vaccination
and supply
of Vaccine
Lymph:
Circular to
Boards of
Guardians:
12 July, 1853.

POOR LAW COMMISSION OFFICE, DUBLIN,
12th July, 1853.

SIR,

1. I am directed by the Commissioners for administering the Laws for Relief of the Poor in Ireland to transmit herewith, to be laid before the

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SARIES.

Vaccination
and supply
of Vaccine
Lymph:—
Circular of
12 July, 1853.

Board of Guardians, a copy of a Circular^a which the Commissioners have addressed to the Committees of Management of Dispensary Districts, relating to the duties of Medical Officers of Dispensaries under the Medical Charities Act, in regard to Vaccination, and to the propriety of issuing Notices as thereto annexed, if such Notices are not already in use: and the Commissioners request that the Guardians will be good enough to cause such Notices to be supplied, on the Committee of any District in the Union furnishing the necessary particulars for the same.

2. With a view to the successful performance of Vaccination, it is of importance that proper Vaccine Lymph should be obtained and kept for use at the Dispensaries; and with reference to the means of ensuring proper supplies of good Lymph, the Commissioners desire to call the attention of the Guardians to their Circular of the 8th July last, in which the Commissioners stated as follows:

“Inquiries as to the mode of procuring Vaccine Lymph, for the use of the Medical Officers of Dispensaries in the Vaccination of persons coming to them for the purpose in pursuance of sec. 13 of the Act, having been received by the Commissioners, they recommend that the Board of Guardians should procure the supplies that may be required for this purpose, from time to time, from the Cow Pock Institution in Dublin, as already suggested by the Commissioners in their Circulars of 7th March and 19th April, 1848, in reference to the supply of Vaccine Lymph for the vaccination of inmates of the Workhouse. The Commissioners understand that in some cases, the orders of the Board of Guardians upon the requisition of the Medical Officers and Committees of the Dispensaries for the supply of Lymph, having been forwarded to Druggists or Contractors for the supply of medicines, they have procured the Lymph from the Cow Pock Institution, whose charge for Lymph so procured is 2s. 6d. per packet. It would probably be found more economical and convenient for the Guardians to procure the Lymph direct from the Cow Pock Institution, the Directors of which have made arrangements for supplying it to the Dispensaries in Ireland on payment of 10s. 6d. annually for each Dispensary. As this subscription will insure a regular and sufficient supply of effective Lymph, for each Dispensary District for which the subscription is paid, the Commissioners recommend the Guardians to consider

^a Circular of 11th July, 1853, No. 5, p. 878.

the propriety of procuring the requisite supplies in this manner, if they do not already subscribe to the Institution for this purpose, as has been already done by the Boards of Guardians of various Unions."

3. The Commissioners trust that the Guardians, as well as the Dispensary Committees and Medical Officers, will use every means in their power to promote and extend the practice of Vaccination, and to repress that of Inoculation with small-pox virus in any Districts wherein the latter is found to prevail.

By Order of the Commissioners,

W. STANLEY, *Secretary.*

*To the Clerk of the Board of Guardians
of each Union.*

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SARIES.

Vaccination
and supply
of Vaccine
Lymph:—
Circular of
12 July, 1853.

No. 7.—NOTIFICATION OF DISPENSARY ARRANGEMENTS:—VACCINATION AND INOCULATION:—CIRCULAR TO DISPENSARY COMMITTEES; WITH ENCLOSURES.

POOR LAW COMMISSION OFFICE, DUBLIN,
12th April, 1855^a.

Vaccination
and Notifica-
tion of
Dispensary
Arrange-
ments:—
Annual
Circular.

SIR,

1. The Commissioners for administering the Laws for Relief of the Poor in Ireland desire to call the attention of the Dispensary Committees recently constituted^a, to the following Regulations in the General Order for the Government of Dispensary Districts, dated 16th December, 1853:—

“ARTICLE 16.—After the completion of the Committee in each year, they shall cause a Notice to be prepared, specifying the persons and their residences to whom application may be made for Tickets for Medical Relief, the situation of the Dispensary or Dispensary Stations in the District, the days and hours of attendance at each, the name and residence of the Medical Officer, and such other particulars of the Dispensary arrangements as may be necessary to afford due facility for obtaining Medical Relief and Vaccination where requisite. Such Notice may be in the Form N^b, annexed to this Order, or in such other Form as may be directed or approved by the Com-

^a Similar Circulars had been from time to time issued to previous Committees after their annual election.

^b p. 855.

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—
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&c.
Annual
Circular.

missioners; and a printed copy thereof shall be posted at each Dispensary in the District, and at such other places in the District as the Committee may deem necessary for the due notification of the Dispensary arrangements. The Committee shall also cause a Notification, in the Form O^a. to be kept conspicuously painted or affixed on the exterior of each Dispensary in the District."

2. The Commissioners continue to receive communications from which it appears that in some Districts there has been a diminution in the amount of Vaccination, or that there has been but little Vaccination, and in some Dispensary Districts none, owing in great measure to indifference on the part of the peasantry, or to a prejudice still existing in favour of the injurious and illegal practice of Inoculation for Small-pox, which the Commissioners regret to find resorted to in some localities.

3. The Regulation and Notices above referred to have been framed with a view to remove any impediment to persons obtaining the benefit of Vaccination, or any difficulty in obtaining Medical Relief in fit cases, through misapprehension, or through ignorance as to the parties to whom they should apply, owing to alterations which occur from time to time in the constitution of the Committees and other Dispensary arrangements. And the Commissioners recommend that if the placard Notices (Form N^b) for the present year have not been already posted, steps should be taken for having them posted as soon as practicable. A copy of the Commissioners' Circular of 11th July, 1853^c, relating to this subject, to which the attention of the Committee is requested, is enclosed herewith, together with the Form of Notice^b referred to; and if they have not already taken steps for this purpose, the Committee should proceed, in accordance with paragraph 5 of that Circular, to obtain the requisite copies of the Notice for their District, by sending the necessary particulars to the Board of Guardians, with a view to their having the Notices printed for public notification in manner provided.

^a p. 857. ^b Placard Notice, (Form N,) p. 855. ^c No. 5, p. 878.

4 In some instances also, it appears that Notice Boards (Form O^a) have not yet been affixed to the exterior of the Dispensary, or that the Inscriptions thereon do not contain all the requisite information, some of the particulars (such as the Notice "Vaccination Gratis," or the times at which the Dispensary is open, or the name and residence of the Medical Officer,) being omitted. In any such cases, the Committee should take steps for remedying the defect, by having the notification affixed to the exterior of each Dispensary in a permanent form, by means of a board or otherwise, and with all the necessary particulars (as in Form O^a) inscribed thereon. A Copy of the placard Notice (Form N^b) should also be kept constantly posted up at each Dispensary, for general information.

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—
Vaccination,
&c.
Annual
Circular.

5. With regard to the practice of Inoculation above adverted to, and the provisions^c on the subject set forth in the public Notice, the Commissioners request the Committee to consider, wherever the practice is found to prevail, and where evidence of the facts can be obtained, whether steps cannot be taken by communicating with the Police Authorities or otherwise, to detect and punish the offenders, so as to deter persons from a violation of the law which prohibits any practices by which the disease of Small-pox may be produced, that offence being punishable under 3 & 4 Vic. c. 29, § 8, by Imprisonment for one Month. From reports received by the Commissioners, it appears that in various instances, owing to the exertions of the local authorities, itinerant Inoculators have been successfully proceeded against, under the provisions referred to, some of these parties having been convicted and committed to gaol for various terms of imprisonment, which has had the good effect, in some instances, not only of checking their illegal proceedings, but of inducing the poor residents of the district to bring their children to the Dispensary, where a large number have afterwards been vaccinated. The Commissioners trust that all prac-

^a Notice Board, (Form O,) p. 857.

^b p. 855.

^c Namely, § 9 of Vaccination Extension Act, 3 & 4 Vic. c. 29, (p. 286).

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&c.
Annual
Circulars.

licable means will be adopted by the local authorities for attaining the same desirable end, wherever possible; and they do not doubt that the Medical Officer will afford to the Committee any aid in his power in furtherance of this object, in the event of any cases of Inoculation with Small-pox virus coming under his notice. The enclosed Circular^a, while referring to the value and importance of Vaccination as a protection against the suffering and mortality arising from Small-pox, also observes, that—

“The general practice of Vaccination will no doubt
“tend to diminish the labour which would otherwise fall
“upon the Medical Officer, in case Small-pox, from its
“highly contagious character, should become prevalent
“amongst the poor in his district; and at the same time,
“by tending to prevent the prevalence of this disease,
“will no doubt tend also to the saving of the rates, by
“preventing an increase of sickness and consequent des-
“titution from this cause, whereby the demands for relief
“at the cost of the ratepayers would be increased.”

By Order of the Commissioners,

W. STANLEY, *Secretary.*

*To the Honorary Secretary of each
Dispensary Committee.*

NO. 8.—NOTIFICATION OF DISPENSARY ARRANGEMENTS.—VACCINATION AND INOCULATION:—CIRCULAR TO BOARDS OF GUARDIANS; WITH ENCLOSURES.

POOR LAW COMMISSION OFFICE, DUBLIN,
13th April, 1855.

SIR,

1. The Commissioners for administering the Laws for Relief of the Poor in Ireland transmit herewith, for the information of the Board of Guardians, a copy of a Circular, dated the 12th instant^b, which has been addressed to the several Dispensary Committees, relating to Vaccination, and the Notification of the Dispensary Arrangements, together with a copy of the Enclosure therein^a: and the

^a Circular of 11th July, 1853, No. 5, (p. 878.) and Forms of Notifications referred to therein (Forms N and O, p. 855, 857.)

^b No. 7, p. 885.

Commissioners request that the Guardians will be good enough to cause the proper Notifications (Forms N & O)^a, to be supplied for the several Dispensary Districts and Dispensaries in the Union not already duly supplied with them.

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—
Vaccination,
&c.
Circular of
13 Apr. 1855.

2. The Commissioners request the special attention of the Guardians to paragraphs 2 & 5 of the enclosed Circular of the 12th instant^b, relating to the injurious and illegal practice of Inoculation with Small-pox virus, and suggesting steps that may be taken with a view to the detection and punishment of parties committing the offence referred to, where evidence of the fact can be procured. It is of importance, for the protection of the community against the spread of a malignant and highly contagious disease, that all possible steps should be taken to prevent the practice of Inoculation or the use of means calculated to produce Small-pox, and to promote the practice of Vaccination as a means of protection against that disease: and the Commissioners trust that the Guardians, as well as other local authorities, will use all the means within their power to this end, in their respective localities.

3. With regard to the supply of Vaccine Lymph for the Dispensaries, the Commissioners desire to call the Guardians' attention to the Circular of 12th July, 1853^c, a copy of which is annexed; and request that they will make provision for ensuring effective Vaccine Lymph for use at the Dispensaries, from time to time, if not already done.

4. Where the Guardians subscribe to the Cow Pock Institution in Dublin, for the supply of the respective Dispensary Districts in the Union with Vaccine Matter, you should apprise the Medical Officers of the several Districts for which such subscription is made, if they are not already informed of the fact, in order that they may be enabled to apply direct to the Institution for the Lymph required from time to time.

5. The Commissioners regret to find that in some Districts the number of cases of Vaccination per-

^a Pages 886, 887.

^b No. 6, p. 883.

^c No. 6, p. 884.

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&c.

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13 Apr. 1855.

formed at the Dispensaries is very small, and that in others it is scarcely performed at all, owing for the most part to the indifference of the poorer classes, who neglect to bring their children to the Dispensaries for Vaccination, or to the prejudice still prevalent in some localities in favour of the injurious practice of Inoculation for Small-pox. In some districts where Vaccination has not been sufficiently attended to, and Small-pox has in consequence prevailed, a notice has been issued by the Board of Guardians, specially inviting the co-operation of the better informed classes in their respective Districts in promoting the extension of Vaccination by pointing out its advantage and importance as a safeguard against Small-pox, and by impressing on the poorer classes the danger of the illegal practice of Inoculation, as tending to produce the disease, and as also exposing the parties practising or promoting Inoculation to the penalty provided by law^a. The Commissioners recommend the Guardians of any Union in which Vaccination appears to be neglected, or in which Small-pox or Inoculation may prevail, to consider the propriety of issuing such a notice, either appended to the Notice Form N, or as a separate placard, as has been done in some cases, in terms similar to that of the Cautionary Notice annexed hereto.

By Order of the Commissioners,
W. STANLEY, *Secretary*.

*To the Clerk of the Board of
Guardians of each Union.*

Form of Notice referred to in par. 5 of foregoing Circular of 13th April, 1855, and appended thereto.

SMALL POX:—CAUTION.

The attention of Parents, and other persons having children under their care, is requested to the importance of having them Vaccinated as a safeguard against Small-pox; and they are warned of the dangerous consequences of Inoculation as tending to produce and spread the disease by Infection, and as also exposing the parties practising Inoculation to the penalty provided by law.

^a § 8 of Vaccination Act, 3 & 4 Vic. c. 29, p. 286.

In order that the latter practice may be discouraged, and Vaccination be extended as much as possible amongst all classes, the co-operation of the Guardians and Members of the Dispensary Committees in their respective Districts, is invited,—as also of the Clergy of the several denominations, in regard to their respective congregations,—and of Employers, in regard to the families of those employed under them,—with the view of ascertaining whether their children have been vaccinated, and urging the importance of Vaccination wherever it has been neglected, so as to induce them to take their children for the purpose to the nearest Dispensary Station, where the Medical Officer will vaccinate, gratis and without an order or ticket, any children of the District who may be presented on a Dispensary day, during the regular hours.

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&c.
Circular of
13 Apr. 1855.

No. 9.—VACCINATION AND INOCULATION :—INSTRUCTIONS TO MEDICAL INSPECTORS.

POOR LAW COMMISSION OFFICE, DUBLIN,
23rd February, 1854.

Inoculation,
&c.
Instructions
to Medical
Inspectors.

SIR,—The Commissioners for administering the Laws for Relief of the Poor in Ireland, having received Reports from which it appears that Inoculation with Small-pox Virus is still practised in some parts of Ireland, by itinerant Inoculators, desire to call the attention of the Medical Inspectors again to the Commissioners' Circulars of 11th and 12th July last^a, of which further copies were transmitted to the Boards of Guardians, and to the Committees and Medical Officers of Dispensary Districts, with the Commissioners' Circulars of 22nd December, accompanying the revised regulations for Dispensary Districts^b; and I am directed to state, for your information, that, on the issue of the Circulars of the 11th and 12th July, 1853^a, the Commissioners transmitted copies of those Circulars to the Under Secretary, for the information of his Excellency the Lord Lieutenant, at the same time stating that the object of the Commissioners in bringing the subject under the notice of his Excellency, had reference to the practice which prevails in some parts of Ireland, of inoculating for the Small-pox; and the Commissioners submitted for consideration, whether anything could be done by the police authorities which might have the effect of deterring persons

^a No. 5, 6 (p. 878, 883).

^b No. 1-4 (p. 829, 858, 867, 874).

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tion;
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from a violation of the law, which prohibits any practices by which the disease of Small-pox may be produced, that offence being punishable under the Act 3 & 4 Vic. c. 29, § 8^a, by imprisonment for one month.

In reply, the Commissioners received a communication from Major Larcom, dated 27th August last, stating, by desire of his Excellency, that the matter having been brought under the consideration of the Inspector-General of Constabulary, he had again called the attention of that Force to the subject, by a Circular Order.

The Commissioners have addressed the Boards of Guardians and Dispensary Committees, from time to time, wherever it has been reported that Inoculation is practised by itinerant Inoculators, and have recommended them to consider whether, by communicating with the local authorities or otherwise, the parties so practising Inoculation, if known, and if evidence of the fact can be obtained, cannot be prosecuted and punished, as provided in the Act above referred to: and the Commissioners trust that the Medical Officers will afford any aid in their power in furtherance of this desirable object, in the event of any cases of Inoculation coming under their notice. Independently of other considerations, it has been already observed in the Commissioners' Circular of 11th July, that the general practice of Vaccination will, no doubt, tend to diminish the labour which would otherwise fall upon the Medical Officer, in case of Small-pox, from its highly contagious character, becoming prevalent amongst the poor in his District.

The Commissioners make this communication to you for your information and guidance in your inspection of the arrangements in the Dispensary Districts under your inspection; and they have to observe that it appears from reports received by them, that in various instances itinerant Inoculators have been successfully proceeded against, and, owing to the exertions of the local authorities, some of these parties have been arrested and committed to gaol for various terms of imprisonment, which

has had the good effect, in some instances, not only of checking their operations, but of inducing the poor residents of the District to bring their children to the Dispensary, where a large number have been afterwards vaccinated. The Commissioners trust that all practicable means will be adopted for attaining the same desirable end wherever possible.

I have the honour, &c.,

To each Medical Inspector. W. STANLEY, *Secretary.*

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Vaccination and Inoculation ; Instructions to Medical Inspectors.

NO. 10.—VACCINATION AND INOCULATION—FURTHER INSTRUCTIONS TO MEDICAL INSPECTORS ; WITH TWO ENCLOSURES.

POOR LAW COMMISSION OFFICE, DUBLIN,
27th June, 1854.

SIR,—I am directed by the Commissioners for administering the Laws for the Relief of the Poor in Ireland to transmit herewith for your information an extract from a communication received from the Medical Officer of the Cloonbur Dispensary District, in Oughterard Union,—and a copy of a Constabulary Report, from Sub-Inspector Lennon, of Killashee, in Ballymahon Union, received from the Chief Secretary's Office,—relating to cases of Inoculation which had occurred in their respective districts.

Enclosure A.
P. 894.

Enclosure B,
P. 894.

The case reported by Sub-Inspector Lennon having been referred to the Law Adviser of the Chief Secretary's Office, he has given his opinion that the parents in that case were not liable to be proceeded against, under section 8 of the Vaccination Extension Act, 3 & 4 Vic., cap. 29^a ; that the statute referred to being a penal statute is to be construed strictly, and seems to contemplate the punishment of the person who actually "produces" or "attempts to produce" Small-pox by Inoculation with variolous matter, &c. ; and he observes that there is no power in the Constabulary that he is aware of to procure the medical evidence sought for in that case.

There appears to be difficulty, in some cases of this kind, in procuring the necessary evidence for the conviction of the offenders ; and the Commissioners request that you will, in any case that may

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be brought under your notice in your district, in which an offence has been committed against the provisions of section 8 of the Act above referred to, afford all the aid in your power with a view to the conviction of the offender under that section.

I have, &c.,

To each Medical Inspector. W. STANLEY, *Secretary.*

ENCLOSURE (A.)

Extract from a Communication received from Medical Officer of Cloonbur Dispensary District, in Oughterard Union.

A woman named Joyce, I believe, has recently inoculated several children for Small-pox, within this District; and I am of opinion it would not be difficult to have her convicted of the crime, if the duty of the Relieving Officer.

ENCLOSURE (B.)—POLICE REPORT.

County Longford, Killashee, May 2, 1854.

I beg leave to state, that I have reason to believe that an infant belonging to James Reynolds, of Kennagh, has been lately inoculated with matter for the purpose of producing Small-pox.

I saw the child last Friday, but I was unable to judge whether it was for Small-pox it was inoculated, and therefore I communicated with Dr. Bracken, of Ballymahon, who is the Poor Law Medical Attendant for that District, requesting that he would see the child, and inform me whether it is the supposed disease the child has; but as that gentleman has not since seen the child, nor replied to my communication, I beg to ask for instructions in this case;—

1st. As to how I shall be able to procure the attendance of a medical person to decide upon the nature of the complaint:

2nd. In the absence of evidence against the person who actually inoculated the child, should the parents be proceeded against for having got it done? See 3 & 4 Vic., cap. 29, sec. 8^a.

I understand that a great number of children have been operated upon, and I strongly suspect a quack, named Bucannon, who resides in this neighbourhood; and although I have used every exertion, I cannot arrive at any direct evidence against him.

(Signed) JOHN J. LENNON, *3rd Sub-Inspector.*

Longford, May 3, 1854.

Submitted.—I have directed Sub-Inspector Lennon to procure a Medical Practitioner's certificate, pending your instructions as to whether the parents of the child may be proceeded against.

(Signed) THOS. PORTER, *2nd County Inspector.*

To the Inspector-General.

No. 11.—VACCINATION AND INOCULATION.—NOTIFICATION OF DISPENSARY ARRANGEMENTS :—CIRCULAR TO DISPENSARY COMMITTEES.

DISPENSARIES.

Vaccination,
&c.

POOR LAW COMMISSION OFFICE, DUBLIN,
19th September, 1855.

Circular of
19 Sep. 1855.

SIR,—The Commissioners for administering the Laws for Relief of the Poor in Ireland find by returns from Dispensary Medical Officers, and by other communications which they have lately received, that there are many Districts in which the practice of Vaccination still appears to be much neglected; and the Commissioners deem it their duty therefore to bring the subject again specially under the notice of the Committees of Management, and earnestly to request their attention to the performance of Vaccination by the Dispensary Medical Officers in their respective Districts.

The Commissioners think it very desirable that the Vaccination Register should be regularly and systematically examined; and that the numbers vaccinated should be from time to time compared with the estimated number of Births in the District.

The Commissioners take this opportunity of again calling the attention of the Dispensary Committees to the various measures which have been recommended by them for removing misapprehensions and obviating any difficulties which may exist, and which might prevent persons obtaining the benefit of Vaccination. The Commissioners would particularly refer to the importance of having the Form "N"^a posted throughout the District, and renewed from time to time where necessary; and also to the expediency of communicating with the Police Authorities, with the view of having all practicable steps taken for the detection and punishment of persons guilty of the practice of Inoculation.

The Commissioners think that it should be made known as generally as possible, that there is no restriction as to the classes or description of persons who may avail themselves of the benefit of gratuitous Vaccination at the Dispensaries, and they think it very important, also, that the practice, which formerly prevailed in some Districts of requiring a deposit of money at the time of the performance of

^a Placard Notice, (Form N,) p. 855.

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&c.
Circulars of
19 Sep. 1855.

Vaccination, as a security that the child vaccinated should be brought back on a subsequent day for inspection, should be strictly forbidden, if in any case the practice has been continued since the Commissioners' Circular of the 11th July, 1853^a, on this subject was issued. The requiring of such a deposit is, in fact, contrary to the spirit of the 13th sec. of the Medical Charities Act, by which the Dispensary Medical Officers are *required* to vaccinate *all* persons who may come to them for that purpose.

The Commissioners will forward a copy of this communication to the Medical Officers for their information^b, referring them at the same time to the several circulars on this subject, which are printed in the Commissioners' Third Medical Charities Report; and the Commissioners desire to urge upon the Committee the duty of constant attention to the enforcement of the measures referred to.

By Order of the Commissioners,

To the Honorary Secretary of each W. STANLEY, *Secretary.*
Dispensary Committee.

No. 12.—VACCINATION AND INOCULATION.—NOTIFICATION OF DISPENSARY ARRANGEMENTS:—CIRCULAR TO DISPENSARY MEDICAL OFFICERS.

POOR LAW COMMISSION OFFICE, DUBLIN,
19th September, 1855.

SIR,—The Commissioners for administering the Laws for Relief of the Poor in Ireland transmit herewith, for your information and guidance, a copy of a Circular Letter^c which they have this day addressed to the several Dispensary Committees, on the subject of the performance of Vaccination; and the Commissioners desire at the same time to draw your attention to the several documents relating to this subject, which are printed in the Commissioners' Third Medical Charities Report, pages 9 to 16, especially to the Circular Letters of the 2nd June, 1854, and the 11th July, 1853^d.

By Order of the Commissioners,

To the Medical Officer of each W. STANLEY, *Secretary.*
Dispensary District.

^a Page 878. ^b See next Circular, No. 12. ^c No. 11, p. 895.

^d See Circulars of 11th July, 1853, and 12th April, 1855 (p. 878, 885): the Circular of the latter date corresponds with that of 2nd June, 1854, being a Circular issued annually after the constitution of new Committees; see note ^a in p. 885.

MEDICAL OFFICER'S DUTIES.

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PERIODICAL RETURNS UNDER ARTICLE 21 OF DISPENSARY REGULATIONS: CIRCULAR TO MEDICAL OFFICERS OF DISPENSARIES; WITH ENCLOSURE.

Medical
Officer's
Quarterly
Returns.

POOR LAW COMMISSION OFFICE, DUBLIN,
31st May, 1855.

SIR,

1. Referring to that part of the Dispensary Regulations of 16th Dec. 1853, Article 21, which directs, as part of the Medical Officer's duty, that^a

“viii. He shall submit to the Committee at each
“Ordinary Meeting a Return, in the annexed Form
“L^b, of the number of Patients attended by him
“since the Ordinary Meeting immediately preceding;
“and shall forward a Return of the same to the office
“of the Commissioners, for each Calendar Month, or
“for and at such other periods as may be from time
“to time directed by the Commissioners,”—

I am directed by the Commissioners for administering the Laws for Relief of the Poor in Ireland to state that they will not require this Return to be made to them at monthly intervals as heretofore^c; but that instead thereof, a Quarterly Return will be sufficient, so far as regards the return to be made to them.

2. The Commissioners accordingly request that you will in future make your Return to them, from time to time, for the three months ending respectively 31st March, 30th June, 30th September, and 31st December. The Monthly Returns should be continued as heretofore to the close of the present half-year ending 30th June: and after transmission of your Return for the *month* ended 30th June, 1855, your next Return should be made for the *quarter* ending 30th September next, and be continued quarterly at the periods above-named. The Quarterly Return to the Commissioners should be made in the Form transmitted to you herewith^d, of which further copies can be obtained, when required, on

^a Page 839.

^b Page 854: see form herewith, in p. 899.

^c i.e., under Instructions of 22nd Dec. 1853: see par. 16 of Circular to Medical Officers of that date, (p. 865), superseded by these instructions of 31st May, 1855.

^d Form L, p. 899.

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Returns.

application to this office. If there is any supply on hand of the form of Monthly Return heretofore in use, it can be used for the Return to be made to the Committee.

3. As already stated in the Commissioners' Circular of 28th January, 1854, "the transmission of your Return to the Commissioners is not to interfere with your Return to the Committee, in pursuance of the Regulation which requires that you should submit to the Committee, at each Ordinary Meeting, a Return, in similar form, of the number of cases attended by you since the Ordinary Meeting immediately preceding. As the Meetings of the Dispensary Committees are held on different days in different Districts, it is not necessary that your Return to them should be identical with that made to the Commissioners; and the former can therefore be made up to the day of Meeting of the Committee, or you can lay before them a copy of your Return to the Commissioners," for the period immediately preceding, as the Committee may desire. It is, however, desirable, wherever practicable, that your Quarterly Return to the Commissioners should be laid before the Committee, for their inspection and for any observations they may wish to make thereon, before transmission to the Commissioners; and you will accordingly lay the Return before the Committee at their first Ordinary Meeting after the close of the quarter: but in case the Committee fail to hold a meeting within a month after the termination of the quarter, you should transmit your Return to the Commissioners without further delay, although it may not have been laid before the Committee; and you will therefore forward the Return to this office immediately after the first fixed day of meeting of the Committee after each quarter, whether they shall have had a meeting on such day or not.

By order of the Commissioners,

W. STANLEY, *Secretary.*

To Each Medical Officer of a Dispensary District.

[ENCLOSURE.]

ENCLOSURE.

FORM L.—MEDICAL OFFICER'S RETURN.

— UNION.

— DISPENSARY DISTRICT.

DISPEN-
SARIES.Medical
Officer's
Quarterly
Returns.Medical Officer's Return for the Quarter ended
—, 185 .

Number of new Cases Attended and Registered during the above period.			No. of Tickets cancelled by the Committee during the above period, under § 9 of 14 & 15 Vic., c. 68.	No. of Children Vaccinated during the above period.	No. of Cases of Dangerous Lunatics certified under § 15 of 14 & 15 Vic. c. 68.	No. of new cases during the above period attended in Bridewell or House of Correction, under 14 & 15 Vic., c. 68, § 15, (if any in District.)	OBSERVATIONS. (In case of any Disease being unusually pre- valent, state hereunder the Name of the Disease, and the Number of Cases of it in the above period.)
On Dis- pensary Tickets, (Form E 1.)	On Visiting Tickets, (Form E 2.)	Total.					
Col. 1	2	3	4	5	6	7	8

Number of Medical Officers for the District?

Number of Dispensary Stations for the District?

Dispensary Days and Hours of attendance at each

Dispensary Station in the District?

Days fixed for Ordinary Meetings of the Committee?

(Date,) — day of — 185 .

(Signature,) —

Medical Officer of — Dispensary District,
in — Union.Laid before the Committee of Management, this —
day of — 185 .

(Signature,) —, Presiding Chairman.

Questions to be answered by the Medical Officer.

1. Whether the Medicines procured are of good quality?
and whether any defect in the quality of the Medicines
or otherwise has been reported in the Medical Officer's
Report Book, (Form I)?

2. Whether a sufficient supply of Vaccine Lymph is
kept up at the Dispensary? And whether it is procured
from the Dublin Cow Pock Institution, by subscription
of the Guardians to that Institution, or how otherwise?

DISPEN-
SARIES.

Medical
Officer's
Quarterly
Returns.

3. Whether there has been any Increase or Diminution of Vaccination? If the amount of Vaccination performed be not in proportion to the population, probable cause thereof, or of any diminution?

4. Whether the Dispensary arrangements and provisions as to Vaccination are duly notified by public Notices (Form N), posted in the District, in accordance with Article 16 of the Dispensary Rules, or in what manner?

5. Whether a Notice Board or Inscription (Form O), is affixed on the exterior of each Dispensary, in accordance with Article 16 of the Dispensary Rules, and whether such Notice contains the particulars directed to be so affixed, and is kept in a legible state?

(Signature), _____, *Medical Officer.*

(Date), _____ of _____, 1851.

Any further Observations which the Committee or the Medical Officer may desire to make, can be added here.

CIRCULAR TO DISPENSARY COMMITTEES, TRANSMITTING
COPY OF FOREGOING CIRCULAR.

POOR LAW COMMISSION OFFICE, DUBLIN,
31st May, 1855.

SIR,—I am directed by the Commissioners for administering the Laws for Relief of the Poor in Ireland to transmit herewith, for the information of the Dispensary Committee, a copy of a Circular^a which the Commissioners have addressed to the Medical Officers of Dispensary Districts relative to the periodical Return required from them under Article 21, No. viii. of the Regulations for Dispensary Districts, contained in the Commissioners' General Order of 16th December, 1853. A copy of the Form of Return^b now required by the Commissioners quarterly, instead of monthly as heretofore, as referred to in the Circular, is likewise enclosed herewith. It will be perceived that this Return is not intended to supersede or interfere with the Return to be made to the Committee as heretofore, under the same Regulations.

By Order of the Commissioners,

W. STANLEY, *Secretary.*

*To the Honorary Secretary of the Committee of
Management of each Dispensary District.*

HALF-YEARLY ACCOUNTS OF DISPENSARY EXPENSES:—

DISPEN-
SARIES.CIRCULAR TO CLERKS OF UNIONS IN REFERENCE TO
ARTICLE 29 OF FOREGOING DISPENSARY REGULA-
TIONS^a; WITH TWO ENCLOSURES.Half-yearly
Accounts of
Expenses.POOR LAW COMMISSION OFFICE, DUBLIN,
22nd March, 1854.

SIR,—I am directed by the Commissioners for administering the Laws for Relief of the Poor in Ireland to draw your attention to the General Rules for the government of Dispensary Districts, Article 29^a of which directs that “Immediately after the
“completion of the half-yearly Accounts for the
“Audit thereof by the Auditor of the Union, the
“Board of Guardians shall cause their Clerk to fur-
“nish to the Committee of each Dispensary District,
“previously to such Audit, a statement of all items
“of Expenses incurred for the District, which shall
“have been included in the Half-year’s Accounts ;
“and such statement shall be made in such Form as
“may be directed or approved by the Commissioners.”

I am accordingly directed to forward a Form^b in which the statement above referred to should be prepared and sent to the Committee of each Dispensary District, showing the expenses incurred for the District under the Medical Charities Act during the Half-year, and the apportionment of the expenses upon the several Electoral Divisions of the District according to their net annual value, in accordance with the 6th section of the Act^c.

The Commissioners are desirous of receiving a general statement of the expenditure incurred for each Dispensary District, during each Half-year, under the Medical Charities Act ; and a Form, in two parts^d, is also attached, in which such statement is hereby required to be made ; the first part to contain a classified statement of the Expenditure in each District, and the other to show the Apportionment of such expenditure upon the several Electoral Divisions of the District. These latter statements^d are to be forwarded to this office, appended to the Half-yearly Abstracts of the audited Accounts of the Union^e.

By Order of the Commissioners,

*To the Clerk of each Union.*W. STANLEY, *Secretary.*^a Page 841.^b Enclosure A, p. 902.^c 14 & 15 Vic. c. 68, § 6 (p. 211). ^d Enclosure B, I. & II., p. 903.^e Accounts Order, Forms 5 A & B (p. 709–711).

ENCLOSURE A.

UNION.

DISPENSARY DISTRICT.

STATEMENT of the Items of Expenditure incurred under the Medical Charities Act, 14 & 15 Vic. c. 68, for the above Dispensary District, and included in the Accounts of the Union, during the Half-year ended 185-; also showing the Apportionment of the Expenditure on the several Electoral Divisions comprised in the Dispensary District.

NOTE.—Expenses under the Medical Charities Act, 14 & 15 Vic. c. 68, incurred for a Dispensary District, are to be apportioned upon the several Electoral Divisions of the District, according to their Net Annual Value. Care must be taken that none of the Expenses under the Nuisances Removal and Diseases Prevention Acts are included.

<i>Salaries of Officers:—</i>				<i>Apportionment of the Expenditure upon the several Electoral Divisions comprised in the Dispensary District:—</i>			
Name, — Office, —		£	s.	d.	£	s.	d.
<i>Medicines and Medical Appliances:—</i>					Electoral Division,		
					do.		
<i>Rent of Dispensary Building,</i>					do.		
<i>Repairs of do., Furniture, Fixtures, &c.,</i>					do.		
					do.		
<i>Books, Forms, Stationery, Printing, and Advertisements:—</i>					do.		
					do.		
<i>Fuel and other Incidental Expenses:—</i>							
Total Expenditure*, . £					Total*, . . . £		

(Date,) —, 185 . (Signature,) — Clerk of Union.

* The amount of total should be the same in each of these two places.

ENCLOSURE B.

UNION.

I.—STATEMENT showing the Expenditure under the Medical Charities Act, 14 & 15 Vic. c. 68, in each Dispensary District of the above Union, during the Half-year ended — 185 .

NOTE.—Care must be taken that none of the Expenses incurred under the Nuisances Removal and Diseases Prevention Acts are included herewith. Expenses under these Acts should appear in the Half-yearly Abstracts of the Union Accounts^a, in the column headed "Election, Law, and other Expenses."

Expenditure during the Half-year ended —, 185—.					
Names of Dispensary Districts.	Medicines and Medical Appliances.	Rent of Dispensary Buildings.	Salaries of Officers.	Books, Forms, Stationery, Printing, and Advertisements.	Fuel and other incidental Expenses.
Total of Union, ^b					

(Date,) —, 185 . (Signature,) — Clerk of Union.

^a Accounts Order, Form 5 B, (p. 710-1).

^b See p. 902, note ^a, which applies to the total of each of these two statements likewise.

II.—STATEMENT showing the Valuation of each Dispensary District, and each Electoral Division of the above Union; and the Apportionment of the Medical Charities Expenses of the Half-year, ended — for the Dispensary Districts, upon the Electoral Divisions comprised therein.

NOTE.—Expenses under the Medical Charities Act, 14 & 15 Vic. c. 68, incurred for a Dispensary District, are to be apportioned upon the several Electoral Divisions of the District, according to their Net Annual Value.

Names of Dispensary Districts.	Electoral Divisions comprised in each District.	Net Annual Value of rateable property in each Dispensary District.	Net Annual Value of rateable property in each Electoral Division.	Total Expenses under the Medical Charities Act, in each Dispensary District.	Proportion of Expenses under Medical Charities Act, chargeable to each Electoral Division in the Dispensary District.
	Total, ^b				

(Date,) —, 185 . (Signature,) — Clerk of Union.

DISPEN-
SARIES.Appointment
of Commit-
tees and
Wardens.—
Annual
Circular.ANNUAL APPOINTMENT OF DISPENSARY COMMITTEES
AND WARDENS :—CIRCULAR TO BOARDS OF GUAR-
DIANS OF UNIONS IN IRELAND^a ; WITH TWO ENCLO-
SURES.POOR LAW COMMISSION OFFICE, DUBLIN,
24th March, 1855.

SIR,

1. The Commissioners for administering the Laws for Relief of the Poor in Ireland desire to call the attention of the Board of Guardians to the provisions of section 7 of the Dispensaries Act, 14 & 15 Vic. c. 68^b, under which the requisite number of Members to complete the Committee of Management of each Dispensary District, is to be appointed, in each year, as soon as practicable after the Annual Election of Guardians in each Union. The section directs that “at the first meeting of the Guardians “after such Annual Election, or as soon thereafter “as conveniently may be, the Committee of Manage- “ment for the said Dispensary District shall be “appointed,” in manner provided therein, “for the “ensuing year; and so likewise in each succeeding “year.”

2. Under the provisions of this section, the Guardians who are returned in the Annual Election of Guardians for the Union, become Members of the Committees of Management of the respective Dispensary Districts therein, in which they are *resident* or are *owners or occupiers of property situate in such Districts* respectively; and under the same section, the Board of Guardians will have to elect a sufficient number of Rate-payers, *resident* in each District and *liable to pay Poor Rates* in respect of property therein of the *net annual value* of £30 at the least, so as (with the Ex-Officio and Elected Guardians resident or being the owners or occupiers of property in the District, who are thereby qualified and entitled to act on the Committee of each District,) to complete the number of Members of whom the Committee of such District is to consist, as fixed by the Commissioners’ Order in that behalf.

^a A similar Circular had been issued before each previous Annual Election of Committees.

^b Page 211.

3. In case the full number of Guardians be not returned in the Annual Election, so that any vacancies appear on the Returning Officer's Return of the Election of Guardians for the Union, the Commissioners, in due course after the receipt of that Return, will issue an Order providing for a supplemental Election to fill such vacancies in the Board of Guardians: and as the Guardians so to be elected will be entitled to act on the Dispensary Committees of the respective Districts, according to the provisions of the Act above referred to, the Board of Guardians should elect only such number of qualified Rate-payers as would be necessary if the number of Guardians eligible for the Union were now complete; so that the Guardians to be elected to supply vacancies may become Members of the respective Dispensary Committees upon which they may be qualified and entitled to act, without displacing any Rate-payer who may be elected by the Board of Guardians as a Member of any such Committee.

DISPEN-
SARIES.Appointment
of Commit-
tees and
Wardens.—
Annual
Circular.

4. The Commissioners at the same time desire to call the attention of the Board of Guardians to the Circular of the 30th March, 1852, (of which a copy is annexed hereto^a), relating to the appointment of Wardens, who, as well as Members of the Dispensary Committees and Relieving Officers, are authorized by § 9 of the Dispensaries Act, to issue Tickets for Medical Relief under that Act. It will be observed that it is provided, that the appointment of Wardens should be made within one month after the Annual Election of Guardians^b. A Form for the Return required as referred to in paragraph 3 of that Circular will be forwarded to you hereafter^c.

5. It is desirable that the parties authorized to issue Tickets for Medical Relief in a Dispensary District should be selected for each District, as far as practicable, from different localities in the several

^a Enclosure A, p. 908.

^b See § 50 of Irish Poor Relief Act, 1 & 2 Vic. c. 56 (p. 39).

^c By a further Circular of 30th March, 1855, the Clerk was instructed to "make the return in Form No. 1d, of which you will obtain copies in the usual manner, as directed in paragraph 11 of "the" present Circular (p. 908).

^d Form No. 1, appended to Dispensary Regulations, (p. 843).

DISPEN-
SARIES.Appointment
of Commit-
tees and
Wardens. —
Annual
Circular.

parts of the District, so that sufficient facility for obtaining such relief, with due convenience to the sick poor resident in all parts of the District, may be afforded, by means of persons distributed over the whole District according to its requirements, having regard to the amount of population in its various parts and other local circumstances: and the Commissioners suggest to the Guardians the propriety of keeping this consideration in view in the selection of Rate-payers for the Dispensary Committees, and of Wardens. It will, therefore, be desirable for the Board, in making such selection, to have before them a list of the Guardians and Relieving Officers entitled to issue Tickets for Medical Relief, showing their respective places of residence; and to make their selection of Rate-payers and Wardens accordingly, from persons resident in localities least provided with facility for obtaining such Tickets from other resident persons authorized to give them.

6. The Commissioners also recommend the Guardians to select for Members of the Dispensary Committees such qualified Rate-payers as will be likely to be able and willing to assist in the due administration of the Dispensaries Act, by attending the Meetings of the Committee of Management of their District at the prescribed times, so as to insure, as far as practicable, regular meetings of a sufficient number of the Committee for the due management of the Dispensary, and the transaction of the business arising under the Act, in accordance with the General Rules issued in pursuance thereof. It is the more important that this consideration should be kept in view in the selection of Rate-payers to complete the Dispensary Committees at the present time, inasmuch as those Committees are required by § 19 of the Act, to give their aid, in their respective Districts, in carrying into effect the sanitary directions and regulations issued under the Nuisances Removal and Diseases Prevention Acts^a, an object which demands the vigilant and continued attention of all the local authorities, with a view to the adoption

^a § 19 of Dispensaries Act, 14 & 15 Vic. c. 68 (p. 222): for provisions of Nuisances Removal and Diseases Prevention Act, as applicable to Ireland, see Appendix.

and enforcement of sanitary measures, in the abatement of nuisances and the removal of causes injurious to health.

7. Your attention, as Clerk of the Union, is requested to your duties under Articles 1, 2, 3, 4, and 27 (annexed hereto^a), of the General Dispensary Regulations of 16th December, 1853, in pursuance of which you will, as soon as the new Committees are completed by the Board of Guardians, make a Return to the Commissioners of the Names and Addresses of all the Members of each Committee, in the Form (No. 1^b), prescribed for the purpose; and you will take care to forward such Return to this office in due course, as soon as the new Committees are constituted.

8. You will likewise forward the prescribed Notice (Form No. 3^c), to each Member of the respective Committees so constituted, and the List of their Names and Addresses (in Form No. 5^d), to the Medical Officers of the respective Districts, in accordance with the Regulations. Herewith is enclosed a Form of Letter^e which you can use in transmitting to each Medical Officer the List for his District. Where there is more than one Medical Officer for any District, a copy of the entire List for the District is to be transmitted to each Medical Officer thereof.

9. You will also take care that each of the persons authorized to issue Tickets for Medical Relief shall be supplied with "Medical Relief Ticket Check Books," in the Forms (E 1 & 2), prescribed by the General Regulations of 16th December, 1853, for the purpose^f.

10. In case any of the Members of the present Dispensary Committees, or Wardens, be not re-appointed on the expiration of their present term of office, and consequently cease thereupon to have authority to issue Tickets for Medical Relief, you will transmit to them the Notice prescribed in such case (Form No. 6^g).

DISPEN-
SARIES.

Appointment
of Commit-
tees and
Wardens.—
Annual
Circular.

^a These will be found in the Regulations, p. 830-1, 841.

^b Page 843. ^c Page 844. ^d Page 845. ^e Enclosure B, p. 910.

^f Dispensaries Act, 14 & 15 Vic. c. 68, § 9 (p. 213): and Forms E 1 & 2, p. 848-850.

^g Page 845.

DISPENSARIES.

Appointment
of Commit-
tees and
Wardens.—
Annual
Circulars.

11. You should immediately take the necessary steps for obtaining, if you have not already done so, the requisite supply of the Forms above referred to, (Nos. 1, 3, 5, & 6 : and Forms of Ticket Books E 1 & E 2), which should be procured from the Printer in the ordinary manner, without delay, in pursuance of Article 27^a of the Regulations.

By Order of the Commissioners,

W. STANLEY, *Secretary.*

*To the Clerk to the Board of Guardians
of each Union.*

ENCLOSURE A.

ANNUAL APPOINTMENT OF WARDENS :—CIRCULAR TO
BOARDS OF GUARDIANS.

POOR LAW COMMISSION OFFICE, DUBLIN,
30th March, 1852.

SIR,

1. The Commissioners for administering the Laws for Relief of the Poor in Ireland desire to call the attention of the Board of Guardians to the provisions of the 50th section of the Irish Poor Relief Act, 1 & 2 Vic. c. 56^b, under which the Board of Guardians of every Union in Ireland is required, “within one Month after the Annual Election of Guardians, to appoint a fit person in each Parish or Townland, or any Part thereof, respectively, included in such Union, to be and be styled the Warden for such Parish, Townland, or part thereof.” It appears that in some Unions the provisions of this section have not been duly and regularly complied with : and the Commissioners request the attention of the Guardians to the subject, in reference to the due administration of Medical Relief to the sick poor under the Medical Charities Act, 14 & 15 Vic. c. 68, under section 9 of which^c, Wardens, as well as Members of Dispensary Committees and Relieving Officers, are the parties empowered to afford Medical Relief, by the issue of Tickets for the same as therein provided, after the necessary arrangements for the purpose shall have been made.

^a Page 841.

^b Page 39.

^c Page 213.

2. With regard to the Districts which it may be advisable to assign to the Wardens, it will be observed that a Warden may be appointed for a Parish, or Townland, or any Part thereof. The Commissioners apprehend that it will not generally be necessary to appoint a separate Warden for each Townland, or a subdivision thereof; and difficulty might arise in selecting so many persons willing to act, as would be requisite for the appointment of these officers for such Districts, which would in many cases be of very small extent. As the Guardians are enabled to appoint a Warden for a Parish, or any Part of a Parish, the Commissioners suggest for their consideration whether it may not be advisable for them so to arrange the Wardens' Districts as to appoint one at least for each Parish, or Portion of a Parish, included in each Electoral Division. The Commissioners, however, are desirous that this suggestion should not be understood as intended to limit the Guardians to this number of Wardens, or to interfere with their discretion in regard to the Districts for which they may think it desirable, from local circumstances, to appoint them in accordance with the Act.

DISPENSARIES.
—
Appointment of Committees and Wardens.—
Annual Circulars.

3. As soon as the Wardens for the ensuing year shall have been appointed by the Board of Guardians, the Commissioners request that they may be furnished with a return, in the enclosed Form^a, of their Names and Residences, and of the Districts for which they are respectively appointed, with the other particulars indicated by the Form.

By Order of the Commissioners,

W. STANLEY, *Secretary.*

*To the Clerk of the Board of Guardians
of each Union.*

^a See par. 4 of Circular of 24th Mar. 1855, and note ^c thereon, p. 905.

DISPEN-
SARIES.ENCLOSURE B, IN FOREGOING CIRCULAR OF 24TH
MARCH, 1854.Appointment
of Commit-
tees and
Wardens.—
Annual
Circulars.*Form of Letter from Clerk of Union to Medical
Officer of Dispensary, transmitting List of Dispen-
sary Committee, on their Appointment, and of
Wardens and Relieving Officers authorized to issue
Tickets for Medical Relief.*

——— UNION.

SIR,—I have to enclose to you herewith, in pur-
suance of the General Order of the Poor Law Com-
missioners of 16th December, 1853, containing the
Dispensary Regulations, a List, in the prescribed
Form, of the Names and Addresses of the Members
of the Committee of Management of the —— Dis-
pensary District, in the above Union, for the present
year, and of the Names and Addresses of every
Relieving Officer and Warden acting for any part
of the District.

Article 3 of the Regulations requires that the
Medical Officer of the District should lay such List
before the Committee of Management at their first
meeting after receipt thereof.

Dated this —— day of ——, 1854.

(Signature,) ——, Clerk of —— Union.

To Dr. ——

Medical Officer of —— Dispensary District.

Instructions
to Medical
Officers on
Appoint-
ment.

MEDICAL OFFICER'S APPOINTMENT AND DUTIES :—

LETTER OF INSTRUCTIONS TO MEDICAL OFFICER ON
HIS APPOINTMENT BY DISPENSARY COMMITTEE,
UNDER § 8 OF MEDICAL CHARITIES ACT 14 & 15
VIC. C. 68 ; WITH ENCLOSURES.

——— Union.

——— Dispensary District.

POOR LAW COMMISSION OFFICE, DUBLIN,
185 .

SIR,

1. The Commissioners for administering the
Laws for Relief of the Poor in Ireland, having
approved your appointment as Medical Officer of
the above Dispensary District, at a salary of £
per annum, forward to you herewith, a copy of the
Medical Charities Act, 14 & 15 Vic. c. 68^a, and a

copy of a General Order under their Seal, dated the 16th December, 1853^a, containing General Rules and Regulations issued by the Commissioners in pursuance of section 12 of that Act, for the government of Dispensary Districts, and for the guidance of Boards of Guardians, and the Committees of Management and Officers of Dispensary Districts, respectively : together with a copy of a Circular of Instructions to Medical Officers, issued by the Commissioners, dated the 22nd December, 1853^b, and of the Circular of 11th July, 1853^c, therein referred to.

DISPEN-
SARIES.
—
Instructions
to Medical
Officers on
Appoint-
ment.

2. Your duties as Medical Officer of the ——— Dispensary District, consisting of the Electoral Divisions of ———, in the ——— Union, are set forth in these documents : and your attention is further requested to paragraphs 2 and 5 of the Circular to Dispensary Committees, dated 12th April, 1855^d, of which a copy is likewise enclosed.

3. The 8th section of the Act, and the Regulations above referred to, contain the necessary provision in reference to the supply of the requisite medicines and medical appliances for the use of the Dispensary, and the Books and Forms to be kept or filled up by the Medical Officer ; and it will be your duty to lay before the Committee of Management, from time to time, an Estimate of the Medicines, &c., required for the service of the Dispensary, as provided in Article 21, No. ix. of the General Rules^e.

4. In order that the Medical Officer may be kept informed at all times of the names and residences of the persons authorized by section 9 of the Act to issue Tickets for Medical Relief in the Dispensary District, the Regulations provide as follows :—

“ARTICLE 3.—Immediately upon the annual completion of any new Committees as aforesaid, the Clerk of the Union shall furnish each Medical Officer of the respective Districts with a List, according to the annexed Form, No. 5, of the Names and Addresses of the Members of the Committee of the District of which he is a Medical Officer, and also of the Names and Residences of every Relieving Officer and Warden acting as such for any

^a Page 829.

^b Page 858.

^c Page 878.

^d Page 885.

^e Page 839.

DISPENSARIES.

Instructions
to Medical
Officers on
Appointment.

Electoral Division included in such District: and the Medical Officer shall lay such List before the Committee of Management at their first meeting after receipt thereof. And the Clerk shall, in like manner, notify, from time to time, any changes, from death or otherwise, of Members of the Committee of Management, Relieving Officers, or Wardens in any Districts, to the respective Medical Officers thereof, who shall lay such notification before the Committee of Management at their first meeting after receipt thereof."

The Form^a referred to in the foregoing Article is annexed to the present Letter. In case you have not received the List from the last Medical Officer, or from the Clerk of the Union, you should apply to the Clerk of the Union for it.

5. In reference to the Registers and other books directed to be kept by the Medical Officer, it is apparent that their value will mainly depend on their being carefully and regularly entered up; and at the same time the duty of the Medical Officer in this respect will be facilitated by the punctual and regular entry of the requisite particulars, as to the several cases attended by him, day by day. A Report Book is also directed to be provided, in which you should report to the Committee of Management any matters to which it may be requisite for you to call their attention, in connexion with the due execution of the provisions of the Act and the Regulations, in the District for which you are appointed, or with the performance of your duties therein.

6. Referring to that part of the Dispensary Regulations of 16th December, 1853, Article 21, which directs as part of the Medical Officer's duty, that

"viii. He shall submit to the Committee at each ordinary meeting a Return, in the annexed Form L, of
"the Number of Patients attended by him since the
"ordinary meeting immediately preceding; and shall
"forward a Return of the same to the Office of the
"Commissioners, for each Calendar Month; or for,
"and at such other periods, as may be from time to
"time directed by the Commissioners,"—

the Commissioners desire to state, that they will

^a For the Form here referred to (No. 5 in Dispensary Regulations,) see p. 845.

not require this return to be made to them at monthly intervals; a Quarterly Return will be sufficient, so far as regards the return to be made to them. The Commissioners accordingly request that you will make your Return to them, from time to time, for the three months, ending respectively 31st March, 30th June, 30th September, and 31st December. The Quarterly Return to the Commissioners should be made in the Form transmitted to you herewith^a, of which further copies can be obtained when required on application to this office: and these instructions relating to your periodical return to the Commissioners, are to be understood as superseding those contained in paragraph 16 of the Circular to Medical Officers, dated 22nd December, 1853^b, above referred to.

DISPENSARIES

Instructions
to Medical
Officers on
Appointment.

7. The transmission of your Return to the Commissioners is not to interfere with your Return to the Committee, in pursuance of the Regulation which requires that you should submit to the Committee, at *each ordinary meeting*, a Return, in similar form, of the number of cases attended by you *since the ordinary meeting immediately preceding*. As the meetings of the Dispensary Committees are held on different days in different Districts, it is not necessary that your Return to them should be identical with that made to the Commissioners; and the former can therefore be made up to the day of meeting of the Committee, or you can lay before them a copy of your Return to the Commissioners, for the period immediately preceding, as the Committee may desire. It is, however, desirable, wherever practicable, that your Quarterly Return to the Commissioners should be laid before the Committee, for their inspection, and for any observations they may wish to make thereon, before transmission to the Commissioners; and you will accordingly lay the Return before the Committee at their first ordinary meeting, after the close of the quarter: but in case the Committee fail to hold a meeting within a month after the termination of the quarter, you should transmit

^a See p. 899, for Form here referred to.^b Page 865.

DISPENSARIES.

Instructions
to Medical
Officers on
Appointment.

your Return to the Commissioners without further delay, although it may not have been laid before the Committee; and you will therefore forward the Return to this Office immediately after the first fixed day of meeting of the Committee after each quarter, whether they shall have had a meeting on such day or not.

By Order of the Commissioners,

ARTHUR MOORE, *Assistant Secretary.*

To ———, *Medical Officer*
of ——— *Dispensary District,*
in ——— *Union.*

List of
Dispensary
Medicines.

MEDICINES FOR DISPENSARIES: CIRCULAR TO BOARDS
OF GUARDIANS, WITH LIST OF MEDICINES.

POOR LAW COMMISSION OFFICE, DUBLIN,
9th July, 1852.

SIR,

1. The Commissioners for administering the Laws for Relief of the Poor in Ireland have had under consideration applications which they have received for information as to Medicines proper to be supplied for the use of Dispensaries under the Medical Charities Act, 14 & 15 Vic. c. 68; and they transmit herewith a List of Medicines which they have prepared for the assistance of Boards of Guardians, in reference to the Estimates of Medical Officers of Dispensary Districts, and Requisitions of Committees of Management thereon for the Medicines required by such Medical Officers for use at the Dispensaries.

2. The Commissioners will be prepared to approve of the Guardians furnishing to the Dispensaries in their Union, any of the Medicines mentioned in the enclosed List, which are applied for in the Estimate of the Medical Officer and the Requisition thereon of the Committee, in pursuance of Article 12, No. v., and Article 17, No. ix., of the General Rules^a for the Government of Dispen-

^a The Rules here referred to were those in force at the date of this Circular, which have since been revoked and superseded by the General Regulations of 22 Dec. 1853, in which the corresponding rules now in force are in Article 15, v. and Article 21, ix. (p. 835, 839).

sary Districts, subject to the Explanation printed on the List^a.

3. With respect to all other Medicines that may be applied for, for the use of any Dispensary, the Commissioners recommend that they should be made the subject of a distinct Requisition by the Medical Officer applying for them, through the Committee of Management, stating the circumstances which are considered to render such Requisition necessary: and in case of any Medicines not named in the enclosed List being included in the ordinary Requisitions without such a statement, the Board of Guardians should communicate with the Committee or Medical Officer as to the necessity of supplying them.

By Order of the Commissioners,

W. STANLEY, *Secretary*.

*To the Clerk of the Board of Guardians
of each Union.*

ENCLOSURE IN FOREGOING CIRCULAR.

List of Medicines proper to be supplied for Dispensaries under the Medical Charities Act.

EXPLANATION.

The Medicines of which the names are printed in ordinary Roman type are such as may be supplied to any such Dispensary.

Those of which the names are printed in *Italics* should be supplied to those Dispensaries only which have an Apothecary in addition to the Medical Officer.

Those of which the names are printed in SMALL CAPITALS should be supplied to those Dispensaries only which have not an Apothecary.

Acidum Aceticum, . . .	Acetic Acid.
„ Muriaticum, . . .	Muriatic Acid.
„ Nitricum, . . .	Nitric Acid.
„ Prussicum Medicinale,	Diluted Prussic Acid.
„ Sulphuricum, . . .	Sulphuric Acid.
„ Tartaricum, . . .	Tartaric Acid.
„ Benzoicum, . . .	Benzoic Acid.
Acetum Cantharidis, . . .	Cantharides Vinegar.
„ DESTILLATUM, . . .	DISTILLED VINEGAR.

^a List and Explanation, in this page (915.)

DISPENSARIES. List of Medicines.	Acetum Commune, . . .	Vinegar.
	„ COLCHICI, . . .	COLCHICUM VINEGAR.
	„ OPII, . . .	OPIUM VINEGAR.
	„ SCILLÆ, . . .	SQUILL VINEGAR.
	Adeps Suillus, . . .	Hog's Lard.
	Æther Sulphuricus, . . .	Sulphuric Æther.
	Spiritus Ætheris Nitrosi, . . .	Spirit of Nitrous Æther.
	Spiritus Ætheris Sulphurici Compositus, . . .	Hoffman's Anodyne Liquor.
	Aloes Hepatica, . . .	Hepatic Aloes.
	Aluminæ and Potassæ Sulphas, . . .	Alum.
	Ammoniaë Aqua, . . .	Water of Ammonia.
	„ Murias, . . .	Sal Ammoniac.
	„ Spiritus Aromaticus, . . .	Aromatic Spirit of Ammonia.
	„ Subcarbonas, . . .	Subcarbonate of Ammonia.
	Anthemidis Flores, . . .	Camomile Flowers.
	Antimonium Tartarizatum, . . .	Tartar Emetic.
	Antimonii Sulphuretum Præcipitatum, . . .	Precipitated Sulphuret of Antimony.
	Aqua Destillata, . . .	Distilled Water.
	Argenti Nitras, . . .	Lunar Caustic.
	Arsenicalis Liquor, . . .	Fowler's Solution.
	Assafœtida, . . .	Assafœtida.
	Balsamum Tolutanum, . . .	Balsam of Tolu.
	Barosma Crenata, . . .	Buchu Leaves.
	Bismuthi Subnitras, . . .	Subnitrate of Bismuth.
	Calx recens usta, . . .	Quick Lime.
	Calcis carbonas preparatum, . . .	Prepared Chalk.
	„ chlorinataë liquor, . . .	Solution of Chlorinated Lime.
	Camphora, . . .	Camphor.
	Carui Semina, . . .	Caraway Seeds.
	Cardamomi Semina, . . .	Cardamom Seeds.
	Cascarillæ Cortex, . . .	Cascarilla Bark.
	Catechu, . . .	Catechu.
	Caryophylli, . . .	Cloves.
	Cera flava, . . .	Bee's Wax.
	Cera Alba, . . .	White Wax.
	Cinchonæ Cortex, . . .	Peruvian Bark.
	„ Pulvis, . . .	Powdered Bark.
	Colchici Semina, . . .	Colchicum Seeds.
	„ Cormus, . . .	„ Root.
	Copaiba, . . .	Balsam of Copaiba.
	Creasotum, . . .	Creasote.
	Cubeba officinalis, . . .	Cubebs.
	Cupri subacetas, . . .	Verdigris.
	„ sulphas, . . .	Blue Stone.
	Digitalis purpurea, . . .	Foxglove Leaves.
	Elaterium, . . .	Elaterium.
	Emplastrum adhæsivum, . . .	Adhesive Plaster.
	„ Ammoniaci, . . .	Gum Ammoniac Plaster.
	„ Vesicatorium, . . .	Blistering Plaster.
	„ Calefaciens, . . .	Warm Plaster.
	„ Hydrargyri, . . .	Mercurial Plaster.
	„ Pauperis, . . .	Poor Man's Plaster.
	„ Saponis, . . .	Soap Plaster.
	Extractum Belladonnæ, . . .	Extract of Deadly Nightshade.
	„ Colocynthis Compositum, . . .	Compound Extract of Colocynth.
	„ Gentianæ, . . .	Extract of Gentian.

DISPENSARIES.

List of Medicines.

Extractum Hyoscyami, . . .	Extract of Henbane.
FERRI IODIDI SYRUPUS, . . .	SYRUP OF IODIDE OF IRON.
„ Sulphas, . . .	Green Vitriol.
„ Limatura, . . .	Iron Filings
„ CARBONAS SACCHARATUM	SACCHARINE CARBONATE OF
	IRON.
Gentianæ Radix, . . .	Gentian Root.
Gum Acaciæ, . . .	Gum Arabic.
„ Ammoniacum, . . .	„ Ammoniacum.
„ Cambogiæ, . . .	„ Gamboge.
„ Guaiacum, . . .	„ Guaiacum.
Hæmatoxylo, . . .	Logwood.
Hydrargyrum, . . .	Mercury.
„ Cum Creta, . . .	Mercury with Chalk.
Hydrargyri Murias Corrosivum,	Corrosive Sublimate.
„ Oxydum Nitricum,	Red Precipitate.
„ Submurias, . . .	Calomel.
Hyoscyami Folia, . . .	Henbane Leaves.
Jalapæ Radix, . . .	Jalap Root.
Iodinium, . . .	Iodine.
Ipecacuanhæ Pulvis, . . .	Hippo Powder.
„ Vinum, . . .	Hippo Wine.
Lini Semina, . . .	Linseed.
„ Farina, . . .	Linseed Meal.
Magnesia Usta, . . .	Pure Magnesia.
Magnesia Carbonas, . . .	Carbonate of Magnesia.
„ Sulphas, . . .	Epsom Salts.
Morphiæ Murias, . . .	Muriate of Morphia.
Oleum Crotonis tiglli, . . .	Croton Oil.
„ Lini, . . .	Linseed Oil.
„ Anisi, . . .	Oil of Aniseed.
„ Fœniculi, . . .	Fennel Oil.
„ Olivæ, . . .	Olive Oil.
„ Menthæ Piperitæ, . . .	Oil of Peppermint.
„ Morrhuæ, . . .	Cod Liver Oil.
„ Ricini, . . .	Castor Oil.
„ Terebinthinæ, . . .	Oil of Turpentine.
Opium, . . .	Opium.
Opii Vinum, . . .	Wine of Opium.
Pilula Hydrargyri, . . .	Mercurial Pill.
„ ALOES COMPOSITA, . . .	COMPOUND ALOETIC PILL.
„ ASSAFŒTIDÆ, . . .	ASSAFŒTIDA PILL.
„ CALOMELANOS COMPO-	
„ SITA, . . .	PLUMMER'S PILL.
„ SCILLÆ COMPOSITA, . . .	COMPOUND SQUILL PILL.
Pix Burgundicum, . . .	Burgundy Pitch.
Plumbi Acetas, . . .	Sugar of Lead.
„ Subacetatis Liquor, . . .	Goulard's Extract.
Polygala Senega, . . .	Seneka Root.
Potassa Fusa, . . .	Caustic Potash.
Potassæ Acetas, . . .	Acetate of Potash.
„ Carbonas, . . .	Carbonate of Potash.
„ Causticæ Aqua, . . .	Water of Caustic Potash.
„ Bitartaras, . . .	Cream of Tartar.
„ Hydriodas, . . .	Hydriodate of Potash.
„ Nitras, . . .	Saltpetre.
„ Sulphas, . . .	Sulphate of Potash.
Pulvis Antimonialis, . . .	Antimonial Powder.
„ Cretæ Compositus, . . .	Compound Chalk Powder.

DISPENSARIES.			
List of Medicines.	Pulvis Cinnamomi Compositus,	Compound Cinnamon Powder.	
	„ Gallarum, . . .	Powder of Galls.	
	„ IPECACUANHÆ COMPOSITUS,	DOVER'S POWDER.	
	„ Jalapæ, . . .	Jalap Powder.	
	„ Opii, . . .	Opium Powder.	
	„ Rhei, . . .	Rhubarb Powder.	
	„ Scammonii, . . .	Scammony Powder.	
	„ SCILLÆ, . . .	SQUILL POWDER.	
	„ Sinapis, . . .	Mustard Powder.	
	„ Calumbæ, . . .	Calumba Powder.	
	„ Zingiberis, . . .	Ginger Powder.	
	Quassia Lignum, . . .	Quassia Wood.	
	Quininæ Sulphas, . . .	Sulphate of Quinine.	
	Quercûs Cortex, . . .	Oak Bark.	
	Resina Alba, . . .	White Resin.	
	Saccharum Album, . . .	White Sugar.	
	Scillæ Radix, . . .	Squill Root.	
	„ Oxytel, . . .	Oxytel of Squill.	
	Secale Cornutum, . . .	Ergot of Rye.	
	Sennæ Folia, . . .	Senna Leaves.	
	Sodæ biboras, . . .	Borax.	
	„ bicarbonas, . . .	Bicarbonate of Soda.	
	Spiritus Juniperi Compositus, .	Compound Spirit of Juniper.	
	„ Rectificatus, . . .	Spirit of Wine.	
	Sulphur Sublimatum, . . .	Sulphur.	
	Terebinthina Communis, . . .	Turpentine.	
	Theriaca, . . .	Treacle.	
	TINCTURA CATECHU, . . .	TINCTURE OF CATECHU.	
	„ Capsici, . . .	„ of Red Pepper.	
	„ CASCARILLÆ, . . .	„ OF CASCARILLA.	
	„ JALAPÆ, . . .	„ OF JALAP.	
	„ DIGITALIS, . . .	„ OF FOXGLOVE.	
	„ Gentianæ Composita, . . .	Compound Tincture of Gentian.	
	„ GUAIACI, . . .	TINCTURE OF GUAIAIACUM.	
	„ HYOSCYAMI, . . .	„ OF HENBANE.	
	„ Lavandulæ Composita, . . .	Compound Tincture of Lavender.	
	„ IODINII COMPOSITA, . . .	„ „ OF IODINE.	
	„ Muriatis Ferri, . . .	Tincture of Muriate of Iron.	
	„ OPII, . . .	LAUDANUM.	
	„ OPII CAMPHORATA, . . .	CAMPHORATED TINCTURE OF OPIUM.	
	„ SCILLÆ, . . .	TINCTURE OF SQUILL.	
	„ Valerianæ Ammoniata, . . .	Ammoniated Tincture of Valerian.	
	Unguentum Calaminæ preparata, . . .	Calamine Ointment.	
	„ Hydrargyri forte, . . .	Strong Mercurial Ointment.	
	„ Picis Liquidæ, . . .	Tar Ointment.	
	„ CERÆ FLAVÆ, . . .	YELLOW WAX OINTMENT.	
	„ CITRINUM, . . .	CITRINE OINTMENT.	
	„ GALLARUM, . . .	OINTMENT OF GALLS.	
	„ ZINCI, . . .	ZINC OINTMENT.	
	Uvæ ursi Folia, . . .	Uva ursi Leaves.	
	Valerianæ Radix, . . .	Valerian Root.	
	Zinci Oxydum, . . .	Oxyde of Zinc.	
	„ Sulphas, . . .	Sulphate of Zinc.	
	Zingiber officinale, . . .	Ginger Root.	

INSTRUMENTS AND OTHER REQUISITES FOR DISPENSARIES:—CIRCULAR TO BOARDS OF GUARDIANS, WITH LIST.

DISPENSARIES.

List of Instruments, &c., for Dispensaries.

POOR LAW COMMISSION OFFICE, DUBLIN,

10th July, 1852.

SIR,

1. The Commissioners for administering the Laws for Relief of the Poor in Ireland have received communications, from which it appears that considerable diversity of practice exists in regard to the supply of Surgical Instruments for the use of Dispensaries under the Medical Charities Act; and the Commissioners having in various instances been applied to for their opinion as to the description of instruments which it would be proper for the Board of Guardians to supply, where the Dispensary is not already supplied with them, they desire to state that as a general rule, they are of opinion that where a requisition for such instruments is made through the Committee, in pursuance of Article 12, No. v., and Article 20, of the General Rules^a for the government of Dispensary Districts, the Guardians should cause to be supplied such Surgical Instruments as are of a perishable nature, or such as are so constantly required in dispensary practice that they should be kept at the Dispensary, or such as are consumed by use in individual cases.

2. For the assistance of the Board of Guardians in reference to any such requisitions received by them, the Commissioners transmit herewith a List of Instruments^b which may be deemed to be included in the three classes above described, as also a List of other Requisites^b, which should be furnished for the use of the respective Dispensaries.

3. In case of any other Instruments being applied for, or in case of doubt whether any particular Instruments not mentioned in the annexed List come within the above description, and whether it would be proper for the Board of Guardians to supply them for dispensary use at the

^a See note ^a in p. 914: and Article 15, v. and Article 26 in General Regulations of 22 Dec. 1853 (p. 835, 840).

^b Page 920.

DISPENSARIES.
—
List of
Instruments,
&c., for
Dispensaries.

cost of the Poor Rates, the Commissioners will be prepared to give their opinion, if requested by the Guardians.

By Order of the Commissioners,

To the Clerk of the Board of W. STANLEY, *Secretary.*
Guardians of each Union.

ENCLOSURE IN FOREGOING CIRCULAR:

List of Requisites (not being Medicines), to be furnished for Dispensary Use.

A.—Surgical Instruments.

1.—PERISHABLE.	Seton Needle.
Gum-elastic Catheters.	Ear Syringe.
Bougies.	Enema-Syringe, with stomach and rectum tubes.
2.—IN CONSTANT USE.	Scalpel.
Splint Wood, scored and plain.	Tenaculum.
Probang.	Probe.
Cupping Apparatus.	Bistoury.
Tooth key.	Director.
„ Forceps.	Dressing Forceps.
Trocar, (ascites.)	Scissors.
„ (hydrocele.)	Common Syringes.
Gum Lancet.	3.—FOR INDIVIDUAL PATIENTS.
Lancets, (Vaccination and Bleeding.)	Trusses.
Curved Needles.	Pessaries.

B.—Other Requisites, being neither Medicines nor Surgical Instruments.

Sponge.	Pestles and Mortars.
Lint.	Funnels, (delf.)
Calico for bandages and plaisters.	Glass Measures, (8 oz. and 2 oz.)
Pill Boxes ;—card paper, and wooden.	Water jar, with cock.
Weights and Scales.	Enema-fistulæ and bladders.
Twine.	Leeches.
Towels.	12 pots for Pill-masses, with covers.
Jug and Bason.	12 pots for Ointments, with covers.
Tow.	12 Tincture bottles, (8 oz.)
Corks.	12 Tincture bottles, (4 oz.)
Cork-screw.	24 Powder bottles, wide mouthed, with ground stoppers.
Labels, (Silverlock & Co.'s).	Phials.
Paper, brown and white.	1 large and 1 small Infusion Pot.
Bleeding Cups, (tin.)	A large Ladle and Spatula.
Scissors, large and small.	Soap.
2 Bolus Knives.	2 Saucepans.
Spreading Spatula, large and small.	
Pill Tile.	
Ointment Flag.	

PART III.—CIRCULARS
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INSTRUCTIONS AND INFORMATION
CONCERNING THE
DUTIES OF OFFICERS; LEGAL OPINIONS, &c.

NOTE.—Some of the Circulars of Instructions, &c. in previous Editions have been omitted in the present Edition, the occasions to which they applied having passed away. Others having reference more immediately to the subjects of the General Orders in a previous Part of this work, have been transferred to the same Part, so as to present the whole of the Regulations and Instructions on any particular subject, in immediate connection as far as possible.

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PART III. CIRCULARS, &c.

1.—RATES AND COLLECTION.

COLLECTION OF RATES ON PROPERTY OF IMMEDIATE LESSORS UNDER THE COURTS :—CIRCULARS TO BOARDS OF GUARDIANS.

CIRCULARS.
Collection of Rates on Property under the Courts.

I. CHANCERY^a.

POOR LAW COMMISSION OFFICE,
Dublin, 3rd December, 1845.

SIR,—Several cases having been brought under the notice of the Poor Law Commissioners, in which difficulty had been experienced by Boards of Guardians in obtaining payment of Poor Rate from Immediate Lessors in respect of property under the control of the Court of Chancery, the Commissioners deemed it expedient to cause application to be made to the Court on the subject ; and they have now obtained an Order (a copy of which is annexed for the information of the Board of Guardians), declaring that it is the duty of the persons who shall be in the receipt of the rents in such cases, to pay the Rate to the person duly authorized to receive the same.

I am, &c.

To the Clerk of the Guardians of each Union.

Copy of Order of Court of Chancery^a above referred to.

12th Day of November, 1845.

ORDERED,—That in all cases where, under the existing Poor Laws, payment of the Poor's Rate devolves exclusively on the Landlord, it is the duty of the Receiver, Guardian, Committee, or Sequestrator, who shall be in receipt of the rents of any Landlord so liable, to pay to the person duly authorized to receive same, all such Poor's Rates, without any Rule or Order for that purpose.

WILLIAM HENN,	} Masters in Chancery.
J. S. TOWNSEND,	
THOMAS GOULD,	
E. LITTON,	

EDWARD B. SUGDEN, C.

^a Similar Circular and Order in Court of Exchequer, p. 926.

CIRCULARS.

Collection of
Rates on
Property
under the
Courts.

II. EXCHEQUER.

POOR LAW COMMISSION OFFICE,
Dublin, 15th June, 1846.

SIR,—With reference to the communication addressed to you on the 3rd December last^a, forwarding a copy of an Order of the Court of Chancery, relative to the payment of Poor Rates by Receivers and other persons in the receipt of the rents of property under the control of the Court, I am now directed by the Poor Law Commissioners to forward to you a copy of a similar Order which they have obtained from the Court of Exchequer.

I have, &c.

*To the Clerk to the Guardians
of each Union.*

*Copy of Order of Court of Exchequer, above referred to.
22nd Day of May, 1846.*

It is this day ordered by the Court, That in all cases where under the existing Poor Laws, payment of the Poor Rate devolves exclusively on the Landlord, it shall be the duty of the Receiver or Sequestrator who shall be in receipt of the rent of any Landlord so liable, to pay the person duly authorized to receive same, all such Poor Rate, without any Rule or Order for that purpose.

The attorneys concerned for such Receivers or Sequestrators are therefore hereby required to apprise them respectively, that they are bound to make such payments, and that they will be allowed credit for same on producing proper vouchers when passing their accounts.

MAZIERE BRADY.

RICHARD PENNEFATHER.

JOHN RICHARDS.

THOMAS LEFROY.

Collection
of Rates on
Encumbered
Estates.

ENCUMBERED ESTATES ; PROVISION FOR PAYMENT OF
POOR RATES.—EXTRACT FROM CIRCULAR OF POOR
LAW COMMISSIONERS TO BOARDS OF GUARDIANS.

POOR LAW COMMISSION OFFICE, DUBLIN,
18th October, 1850.

It appears that the general practice of the Commissioners for the Sale of Encumbered Estates is to discharge any arrears of Poor Rate due upon lands sold by them as a first charge upon the fund realized by the sale.

The Poor Law Commissioners are at the same time informed that much inconvenience will arise if the existence of arrears of Poor Rate be not

notified to the Encumbered Estates Commissioners in time to make provision for them, previous to the distribution of the purchase money of the property.

CIRCULARS.
Collection
of Rates on
Encumbered
Estates.

To obviate this inconvenience, and at the same time to secure the payment of the arrears of rate, it would be desirable, in cases where lands are directed to be sold, of which full public notice is given, that the Boards of Guardians of the Unions where such lands are situate, should direct Notice of Claims^a to be lodged for any arrears of Poor Rate which may be due upon them, some time previous to the distribution of the fund ; and the Commissioners are assured that for this purpose every facility will be given by the Encumbered Estates Commissioners, and that there will be no expense attending the proceeding.

To the Clerk of the Guardians of each Union.

ENCUMBERED ESTATES ; FORM OF CLAIM FOR POOR RATES.—EXTRACT FROM CIRCULAR OF POOR LAW COMMISSIONERS TO BOARDS OF GUARDIANS.

POOR LAW COMMISSION OFFICE, DUBLIN,
21st November, 1850.

I am directed by the Commissioners for administering the Laws for Relief of the Poor in Ireland to forward herewith a copy of the Form prescribed by the Commissioners for the Sale of Encumbered Estates for the use of all Creditors and Claimants upon the estates sold under their Orders ; and I am to state that the Encumbered Estates Commissioners have requested that all claims made by Boards of Guardians for Poor Rates due out of estates sold under their Orders may be transmitted upon similar forms.

To the Clerk of the Guardians of each Union.

^a Form of Claim in further Circular of 21 Nov. 1850 (p. 928).

Jury Act there referred to, 6 & 7 Wm. IV. c. 116, sections 152 and 153^a, give to Collectors of Poor Rates—

CIRCULARS.
Collectors' Powers.

A power of immediate distress on the premises rated, after demand and refusal of the Rate ;

A power, if the Collector prefers, of laying complaint before a Justice, after six days' notice, and non-payment of the Rate ;

And a power of proceeding by civil bill, for any sum not exceeding £50.

2. The 78th section of the Irish Poor Relief Act^b contains a further power, independent of those above stated, of proceeding by distress, as for recovery of rent ; under which mode of distress, not only the goods of the Rate-payer, but those of any other person found on the premises, may be taken. This power, however, is not available until two months after the Rate has been made ; and the advantage attending it, of taking a stranger's goods, if found on the premises, has been since extended to a distress made for Poor Rate under the Grand Jury Act, by the 6th section of Irish Poor Law Amendment Act, 6 & 7 Vic. c. 92, which provides^c that—

“In all cases in which (under the Poor Law Acts) it is made lawful to levy any money by distress and sale of the goods of any person, all goods and chattels, to whomsoever the same may belong, found on any premises in respect of which any person is or shall be rated as the occupier, or as occupier of which he is liable to pay the rate, shall be liable to be distrained and sold, as if they were the goods and chattels of such person.”

Two legal questions, of great and general importance, have arisen under these statutes :—

Firstly,—Whether a Collector of Poor Rate can distrain under the Grand Jury Act, by virtue of his own warrant from the Guardians, before the expiration of two months from the making of the Rate ?

The Law Officers of the Crown have all now concurred in opinion, that such distress may be made before the expiration of two months ; that is

^a Page 308 *et seq.*

^b Page 59.

^c Page 112.

CIRCULARS. to say, immediately after publication of the Rates,
Collection of and after demand of the Rate and refusal of pay-
Rates. ment.

Secondly,—It has been asked, whether, under the 6th section of 6 & 7 Vic. c. 92, goods already seized by the landlord for rent, but remaining on the premises rated, can be distrained by the Collector of Poor Rates?

The Law Officers of the Crown have advised that such goods, after being *bonâ fide* seized by the landlord, are in the custody of the law, and cannot be distrained for Poor Rates.

3. The above provisions relate to the enforcement of Poor Rates from *Occupiers* only of rated hereditaments.

The proceedings to be taken for recovery of Rates assessed on *Immediate Lessors* of tenements at or under £4 or £8, as the case may be, are provided in the 2nd, 3rd, and 4th sections of the Irish Poor Law Amendment Act, 6 & 7 Vic. c. 92^a.

The following Forms of Notice have been provided by authority of the Poor Law Commissioners, for the use of Collectors^b.

Recovery of **MODES OF RECOVERING RATES FROM IMMEDIATE LES-**
Rates from **SORS :—CIRCULAR TO BOARDS OF GUARDIANS.**
Lessors.

POOR LAW COMMISSION OFFICE, DUBLIN,
 14th January, 1848.

SIR,—The Commissioners for administering the Laws for Relief of the Poor in Ireland deem it advisable to draw attention to the modes prescribed by Law for recovery of Arrears of the Poor's Rate due by Immediate Lessors.

The Act 6 & 7 Vic. cap. 92, sec. 2^c, points out three courses for this object :—

1. By action or suit in the Superior Courts, with consent of the Commissioners.
2. By Civil Bill, in the Court of proper jurisdiction.

^a Pages 106–111.

^b See Forms of Notice, Nos. 11, 15, in Part IV.

^c Page 106 : and see further provisions in act of 1849, 12 & 13 Vic. c. 104, § 15–19, 29, 30, (pp. 195–198, 205–6).

3. Where the Lessor resides in any county, part of which may be in the Union, by complaint to any Justice, on non-payment after 15 days' notice, and summons thereupon to appear before such Justice in Petty Sessions.

CIRCULARS.
Recovery of Rates from Lessors.

Whenever application may be made to the Commissioners for their consent to proceed in the Superior Courts, it will be necessary to transmit a list of the Immediate Lessors proposed to be sued in such manner, stating their places of abode, the total amount due by each, and the grounds on which proceeding by action appears necessary.

By order of the Commissioners,

W. STANLEY, *Secretary.*

To the Clerk to the Guardians of each Union.

RECOVERY OF RATE FROM OWNER IN CERTAIN CASES WHERE LEFT UNPAID BY TENANT :—CIRCULAR TO UNIONS.

Recovery of Rates from Owners, where left unpaid by Tenants.

POOR LAW COMMISSION OFFICE, DUBLIN,
17th December, 1849.

SIR,—I am directed by the Commissioners for administering the Laws for Relief of the Poor in Ireland to state, that several cases have lately been brought under their notice, in which holdings have been abandoned by the occupiers subsequently to the making of the Rate, and there are no means of recovering the Rate either from the person in occupation at the time of the Rate made or by distress on the rateable property ; and the Commissioners have thought it necessary to take the opinion of the Attorney-General as to whether, under these circumstances, any steps can be taken to enforce payment of the Rate from the immediate owner as the subsequent occupier.

A copy of the queries submitted to the Attorney-General, and of his opinion, is herewith annexed for the information of the Board of Guardians.

By Order, &c.

To the Clerk of each Union.

CIRCULARS.

Recovery of Rates from Owners, where left unpaid by Tenants.

Queries.

1. Whether on the termination of the tenancy of land previously rated to the Poor Rate, the immediate owner, having exercised his right of possession, is liable to be sued by Civil Bill for any arrear of such Poor Rates in the capacity of subsequent occupier thereof, under section 71^a, without having been first rated as occupier of the land?

2. Whether, on the expiration of such tenancy, the owner, not having done any act which can be regarded as an act done in exercise of his right of possession, can be sued by Civil Bill for such arrear of Poor Rates, or can be rated as occupier of such land, until he does some act in exercise of his right?

Opinion.

I think, in a case of this description, when the tenancy has determined, and the landlord entered into possession, he can be proceeded against by Civil Bill, the Rate having been previously demanded of him; and it is not necessary that he should be first rated.

I think if the tenancy has been legally determined, so that the actual right to the occupation is vested exclusively in the landlord, very slight evidence indeed will be sufficient to render him liable as occupier, though I consider some necessary; but if the right of possession or occupation is really vested in a tenant who quits or abandons his farm before the determination of his tenancy, clear and unequivocal evidence will be required to render the landlord liable as occupier.

J. H. MONAHAN.

5th December, 1849.

Distraining of Growing Crops.

**DISTRAINING OF GROWING CROPS FOR POOR RATES :—
CIRCULAR TO EVERY UNION.**

POOR LAW COMMISSION OFFICE, DUBLIN,
16th November, 1848.

SIR,—The Commissioners for administering the Laws for Relief of the Poor in Ireland having had several inquiries addressed to them as to whether Collectors of Poor Rate are authorized to distrain Growing Crops for Poor Rate, have taken legal advice on the subject; and they now desire to acquaint the Board of Guardians, that the right to distrain Growing Crops for Rent having been repealed by the 9th & 10th Vic., c. 111, the Commissioners are of opinion that this may be taken as amounting to a legislative declaration, that distraining Growing Crops ought to be discountenanced; and as there are other remedies for the recovery of Poor Rates, the Commissioners think that the Collector ought not to resort to such distress.

By Order, &c.

To the Clerk of each Union.

DISTRAINING OF PLOUGHS AND CATTLE FOR POOR CIRCULARS.
 RATE, WHILE IN USE IN THE CULTIVATION OF Seizure of
 LAND :—OPINION OF ATTORNEY-GENERAL. Ploughs and
Cattle while
in use.

Question.

Whether ploughs and horses, actually engaged in the cultivation of land, are, while so engaged, exempt from distress for Poor Rates ?

Opinion of the Attorney-General.

“The question is one of some difficulty ; but, after considering the case with all the attention in my power, the view I take of the several clauses of the Acts referred to is this :—

“If the Collector proceeds under the 73rd sect. of 1 & 2 Vic., c. 56, a previous demand of the rate from the person liable to pay is necessary ; and if after such demand a seizure is made, such seizure is in the nature of an execution, and not of a distress for rent ; and that in such case, beasts of the plough and horses, though in actual use, are liable to be distrained, though there may be other distress on the premises.

“But in case no demand has been made of the rate, and same is two months in arrear, the Collector, under the 78th sect., may distrain, as in case of a distress for rent. In the latter case, all property in actual use, as a horse which a person is riding or driving, is protected ; and beasts of the plough, though not in use, are protected, if there be a sufficiency of other distrainable property on the premises.

“The effect of the 6th sect. of 6 & 7 Vic., in my opinion, is to render the property of a stranger liable to be distrained, precisely in the same manner as if it were the property of the defaulter ; and, therefore, if the rate had been demanded, as required by the Grand Jury Act in relation to Grand Jury Cess, such property may be distrained as under an execution ; and, in such case, there will be no protection for beasts of the plough, or property in use ; but if the rate has not been demanded, and that the Collector is obliged to proceed under the 78th sect. of 1 & 2 Vic., c. 56,

CIRCULARS. goods and cattle in use cannot be distrained, nor can beasts or cattle of the plough, if there be a sufficiency of other distress."

Recovery of Poor Rates: Petty Sessions Acts. OPERATION OF PROVISIONS OF PETTY SESSIONS ACT IN REFERENCE TO THE RECOVERY OF POOR RATES:—
EXTRACT FROM CIRCULAR TO UNIONS IN IRELAND, CONVEYING THE OPINION OF THE ATTORNEY-GENERAL.

POOR LAW COMMISSION OFFICE, DUBLIN,
19th March, 1850.

The attention of the Commissioners having been drawn to the question whether proceedings for the recovery of Poor Rate by Summons before Justices, are affected by the 11th sect. of the Act 12 & 13 Vic., cap. 70, for facilitating the performance of the duties of Justices of the Peace out of Quarter Sessions, the Commissioners have obtained the opinion of the Attorney-General for Ireland on the subject as follows:—

In answer to a question whether the provisions of the 11th sect. of the Act referred to, can be held to confine Collectors of Poor Rate in proceeding by Complaint and Summons before a Justice of the Peace, to a period of six months from the time when the matter of complaint arose, the Attorney-General has stated his opinion that the Act does apply to proceedings by Collectors of Poor Rate, and that they must proceed within six months.^a

With regard to the question whether the time when the matter of complaint arose must be deemed to be the time of the making of the Rate, or the time of refusal to pay it on demand, and whether the power of the Magistrate to grant a Warrant for the full amount of the Rate due, including arrears of former Rates made more than six months before the time of complaint, is affected by the 11th section of the Act 12 & 13 Vic., cap. 70, the Attorney-General has replied that in his opinion, the

^a The act of 12 & 13 Vic. c. 70 was repealed by that of 14 & 15 Vic. c. 93 (Petty Sessions Act, 1851), by which this limitation has been removed. See further Circular of 16 Sept. 1851 (p. 935).

proper period from which the six months is to run, is the issuing of the Warrant authorizing the Collector to collect the Rates, and he thinks that the Collector can summon for the arrears included in the Warrant, as well as the new Rate.

CIRCULARS.

Recovery of
Poor Rates:
Petty Ses-
sions Acts.

The Commissioners desire me at the same time to point out that the provisions of the statute referred to, only apply to the cases in which the Collector proceeds by Complaint and Summons before Magistrates, and that it in no way affects his power to proceed by Civil Bill, or to distrain under his own Warrant.

LIMITATION OF TIME FOR RECOVERY OF POOR RATES
BY CIVIL BILL:—EXTRACT FROM CIRCULAR TO
BOARDS OF GUARDIANS AS TO PROVISIONS IN PETTY
SESSIONS ACT, 1851.

POOR LAW COMMISSION OFFICE, DUBLIN,
16th September, 1851.

By the act 14 & 15 Vic., c. 93, § 10, for regulating proceedings at Petty Sessions, which will come fully into operation on the 1st November next, the existing general limitation of the time for proceeding before Magistrates in Civil Cases, to six months, will cease; and in Poor Rate cases, the Collectors may then proceed for recovery of Rates before Magistrates "at any time after the date of the Warrant authorizing the Collection." This extension is necessarily subject to the limitations in the Acts for Relief of the Poor, 1 & 2 Vic., cap. 56, and 12 & 13 Vic., cap. 104.

The expiration of the Six Months now allowed for proceeding before Magistrates in Poor Rate cases, does not affect the Collectors' power to proceed by Distress under their own Warrants, or prevent proceedings by Civil Bill; and such modes of recovering Rates may therefore be resorted to, where necessary, before the 1st of November next, when the Magistrates' power will be extended.

By Order, &c.

To the Clerk of the Guardians of each Union.

CIRCULARS. LIMITATION OF TIME FOR COLLECTION OF A RATE;
 Collectors' FORM OF COLLECTORS' BOND:—CIRCULAR TO BOARDS
 Bonds. OF GUARDIANS.

POOR LAW COMMISSION OFFICE, DUBLIN,
 7th August, 1848.

The Commissioners have had under consideration the superior progress which has been made in the collection of Poor Rates in Unions in which the Collectors were bound to collect the Rates within a limited time; and being anxious to secure generally a proper discharge of the duties of the office of Collector of Poor Rate, they request the Guardians, before issuing a Warrant for the Collection of any new Rate in ——— Union, to bind each Collector to collect the amount within such a term (to be specified in the Bond), as shall at the time appear to be sufficient for the performance of the duty; and in no case to receive a Bond according to the more general Form, allowing an unlimited time for the collection.

To effect this object, it will be necessary to have new Bonds executed, in case of a present Collector being appointed to collect a new Rate.

There are several instances in which the greater part of a Rate has been efficiently collected *within three months*.

A Form of Bond to be used is herewith enclosed^a. Additional Forms may be obtained on application to Mr. THOM, 87, Abbey-street, Dublin.

By Order, &c.

To the Clerk of each Union.

Extent of
 Collectors'
 Districts.

COLLECTION OF POOR RATES; EXTENT OF COLLECTORS'
 DISTRICTS:—CIRCULAR TO UNIONS IN IRELAND.

POOR LAW COMMISSION OFFICE, DUBLIN,
 10th August, 1848.

SIR,—The Commissioners for administering the Laws for Relief of the Poor in Ireland desire to call the attention of the Board of Guardians of each Union, to the importance of adjusting the extent of the district of each Poor Rate Collector to the

^a For Forms of Collectors' Bonds, as now adopted, see No. 2, 3 in Part IV. (p. 984, 987.)

duties to be performed, so that no Collector may be appointed to a district the extent of which would be likely to prevent the completion of the collection within the limited time to be specified in the Bond, as required by Circular of the 7th instant.

CIRCULARS.

Extent of
Collectors'
Districts.

The Commissioners enclose herewith copies of Forms, containing queries to be answered and transmitted to the Commissioners, from time to time, on the appointment of each Collector for the collection of a new rate.

The Commissioners trust that by carefully considering the several qualifications requisite for the office, before an appointment is recommended, the Guardians will secure the services of active and efficient Collectors.

If the Collector appointed be a Cess Collector, a Bond, No. (-)^a is to be used instead of No. (-)^b.

CAUTION TO COLLECTORS AGAINST TAKING PART-PAYMENT OF POOR RATE DUE :—CIRCULAR TO UNIONS.

POOR LAW COMMISSION OFFICE, DUBLIN,
16th October, 1848.

Caution to
Collectors
against
taking part-
payment of
Rates.

The Commissioners having been informed that in some instances Collectors of Poor Rate have been in the habit of taking money in part-payment of Rates, and such practice being contrary to the authority given to the Collectors, the Commissioners request that you will inform each Collector of Poor Rates in the ———— Union, that the Commissioners will consider it necessary to remove from office any Collector who shall hereafter accept part-payment of the amount of Rate or of Arrears set forth in his Collecting Books, or who shall fail to issue a receipt for every payment received, on the form and in the manner directed by the Commissioners' Order^c.

^a No. 2 in present Edition. See revised Forms for Collectors' Bonds, No. 2 and 3, in Part IV. (p. 984, 987.)

^b No. 3 in present Edition: see note ^a.

^c For Regulations as to Collectors' duties, see General Orders of 19th January, 1852, and 8th April, 1853, superseding orders previously in force (p. 610, 687.)

CIRCULARS.

The Commissioners enclose copies of this letter, which you are requested to hand to the Collectors for their information.

By Order, &c.

To the Clerk of each Union.

Rates after
annual
revision of
Valuation.

REVISION OF VALUATION ; MAKING OF RATES IMMEDIATELY AFTER THE ANNUAL REVISION OF THE VALUATION :—CIRCULAR TO UNIONS.

POOR LAW COMMISSION OFFICE, DUBLIN,
22nd August, 1854.

SIR,—The Commissioners for administering the Laws for Relief of the Poor in Ireland have received a communication from the Commissioner of Valuation, in which he draws attention to the advantages which, in consequence of the provisions of the Act 17 Vic., c. 8^a, sections 4 and 5, will arise in the collection of the Rates, should the Guardians find it practicable to strike the Rates about the time of the Summer Assizes in each year.

By the 5th section of the Act above quoted, it is provided that the annual revision of the Valuation shall be made on or before the first day of Summer Assizes to be held for the county next after the receipt of the Lists referred to in the preceding section, and the object of this provision is stated to be that the latest changes and amendments may be included in the Lists, so that the Valuation may be as perfect as possible, and may represent the actual state of the rateable property in each case when handed over to the respective County Treasurers for the levy of County Assessments; the same considerations appear to apply to the Lists to be furnished to Unions for the purpose of making Poor Rates, and it seems therefore desirable that the corrected Lists should be furnished to each Union at the same period, and be brought into immediate operation for the collection of the rate before any extensive alterations have again taken place in the boundaries or occupancy of tenements, or in the valuation of the different descriptions of property enumerated in the 4th section of the Act.

By the adoption of this course, moreover, the Rates will be put in collection at that period of the year which has generally been considered the most advantageous for the collection, the harvest generally following closely after the Summer Assizes.

CIRCULARS.

Rates after
annual
revision of
Valuation.

The Commissioners understand that the revised Lists cannot generally be prepared sooner than the time named in the Act, but the Commissioner of Valuation states that when the exigencies of any Union may require a Rate at an earlier period of the year, he will use every exertion to cause the revision to be completed in time for that particular purpose. As a general rule, however, it seems desirable that the period of making the Rate should as far as practicable be, as suggested by the Commissioner of Valuation, immediately after the revision of the Valuation is completed.

By Order of the Commissioners,

W. STANLEY, *Secretary.*

To the Clerk of each Union.

REVISION OF VALUATION ; TRANSMISSION OF LISTS
OF TENEMENTS REQUIRING REVISION TO THE COM-
MISSIONER OF VALUATION :—CIRCULAR TO UNIONS,
WITH ENCLOSED FORM.

POOR LAW COMMISSION OFFICE, DUBLIN,
12th September, 1854.

SIR,—The Commissioners for administering the Laws for Relief of the Poor in Ireland have received a communication from the Commissioner of Valuation relative to the annual revision of the Valuations which have been completed by him, in which he draws attention to the importance of taking care that every case requiring amendment is included in the Lists which are to be forwarded to him by Clerks of Unions in the month of November in each year, pursuant to the provisions of the 4th section of the 17th Vic., c. 8^a.

The Commissioner of Valuation states, that much difficulty has been experienced by the Revisors, in

CIRCULARS.

Annual
revision of
Valuation.

consequence of the imperfect system heretofore pursued in preparing the Lists referred to, which, in some cases, were found to be totally useless, owing to the want of any method or form in their preparation; and also in consequence of the local Rate Book numbers of reference having been quoted, to distinguish the situation of the Tenements, instead of the numbers and letters of reference as stated in the Valuation Books and Maps, thus rendering the Lists useless to the Revisors.

With a view to avoiding this difficulty in future, it is suggested that the enclosed Form be adopted for making out the Lists for the Commissioner of Valuation; and I am to state, that should you have any difficulty in providing yourself with a supply of Forms in sufficient time for the transmission of the Lists in November next, the Commissioner of Valuation will, on application being made to him to that effect, be prepared to supply you with as many Forms as will meet the requirements of the present year.

In connexion with this subject I am to request that you will take an early opportunity of impressing upon the several Rate Collectors, the necessity of great care and diligence in making out the Lists which they are required to make out and deliver to you on the 15th of November in each year, and of pointing out to them the penalties to which they are liable for any neglect or default in making such Lists.

The duties of the Collectors are fully set forth in the 4th section of the 17th Vic., c. 8, (the Valuation Amendment Act,) and a copy of that section is annexed to this Circular^a.

By Order of the Commissioners,

W. STANLEY, *Secretary*.

To the Clerk of each Union.

^a For § 4 of 17 Vic. c. 8, see p. 391-2.

CIRCULARS. **EXEMPTION OF WORKHOUSES FROM ASSESSMENT FOR**
INCOME TAX :—COPY OF A LETTER FROM THE
 Exemption of Work- SPECIAL COMMISSIONERS OF INCOME TAX, TO THE
 houses from COMMISSIONERS OF POOR LAW ; TRANSMITTED BY
 assessment THE LATTER TO BOARDS OF GUARDIANS IN A
 for Income CIRCULAR DATED 3RD MAY, 1854.
 Tax.

INCOME TAX OFFICE, D'OLIER-STREET, DUBLIN,
 24th April, 1854.

SIR,—I am directed by the Special Commissioners to acknowledge the receipt of your letter of 13th instant, requesting information as to the operation of the Income Tax Acts, with reference to Union Workhouses.

In reply, I have to inform you that Union Workhouses and the Buildings connected therewith are considered to be exempt from Income Tax. It is, however, to be borne in mind that the exemption will not extend to any Head Rents, Annuities, or other payments constituting the incomes of individuals, from which the duty may be deducted on payment. The residences of any of the Officers of the Institutions would also be liable to the duty under Schedule A, provided such officers were in receipt of Incomes from all sources amounting to £100 per annum, or upwards.

I may observe that the duty under Schedule B, applies to the occupation of land only, and cannot in any case be chargeable upon houses.

I have the honour, &c.,

A. MARTIN.

2.—RELIEF.

CIRCULARS.

Relief.

1 July 1847.

EXTRACT FROM A CIRCULAR OF THE COMMISSIONERS
TO BOARDS OF GUARDIANS ON THEIR FUNCTIONS IN
THE ADMINISTRATION OF RELIEF AFTER THE PASS-
ING OF THE IRISH POOR RELIEF EXTENSION ACT,
10 VIC. C. 31 ; DATED 1ST JULY, 1847.

POOR LAW COMMISSION OFFICE, DUBLIN,
1st July, 1847.

Until the passing of this new Act, the Guardians ^{10 Vic. c. 31.}
are aware that they could legally give Relief to
the Destitute from the Poor Rates, in a Workhouse
only. With regard to certain classes of the Desti-
tute, however, the law is now altered ; for the
Guardians, while they are absolutely required to
relieve those classes in some manner or other, are
vested with a discretionary power to grant the
relief either in or out of a Workhouse.

The classes of Destitute Persons in respect to
whom the Guardians possess this new discretionary
power are the three following^a :—

1. Destitute Poor Persons who are permanently
disabled from labour by reason of old age, infirmity,
or bodily or mental defect ;

2. Destitute Poor Persons who, being disabled
from labour by reason of severe sickness or serious
accident, are thereby deprived of the means of
earning a subsistence for themselves and their
families whom they are liable by law to maintain ;

3. Destitute Poor Widows having two or more
legitimate children dependent upon them.

With respect to all other classes of the Destitute
Poor, the Guardians are still not entitled, under
ordinary circumstances, to grant any Relief from
the Poor Rates except in a Workhouse only ; but
at all times when there shall be sufficient room in
the Workhouse, the Guardians are required to take
order for relieving and setting to work therein,
such *other* persons (that is to say, persons who are
not included in any of the three classes just
mentioned), as the Guardians shall deem to be
Destitute Poor and unable to support themselves
by their own industry or other lawful means.

^a § 1 of 10 Vic. c. 31 (p. 126).

CIRCULARS.

Relief.

1 July 1847.

Although, however, under ordinary circumstances the powers of a Board of Guardians in reference to Out-door Relief are merely such as are above-mentioned, special provision is made for periods of unusual distress. For, by the second section^a it is enacted, that if it is shown to the satisfaction of the Poor Law Commissioners, that through want of room or by reason of Fever or infectious disease, due Relief can no longer be afforded in the Workhouse or Workhouses of a Union, to Destitute Poor Persons not included in any of the above-mentioned three classes, it shall be lawful for the Commissioners, by Order under their Seal, to authorize the Guardians of such Union to administer Relief to such persons out of the Workhouse; and the Guardians are then required to make provision for their Relief accordingly. No such Order, however, is to be in force for a longer period than two Calendar Months from its date, and all relief given to able-bodied persons under its authority must be in food only; but still the Order may be renewed from time to time.

EXTRACTS FROM CIRCULAR OF THE COMMISSIONERS TO
BOARDS OF GUARDIANS ON THE ADMINISTRATION
OF RELIEF UNDER THE RELIEF EXTENSION ACT;
DATED 14TH AUGUST, 1847.

POOR LAW COMMISSION OFFICE, DUBLIN,
14th August, 1847.

14 Aug. 1847.

In commencing their operations under the 10th Vic. c. 31, the Guardians will bear in mind the state of the law, as pointed out to them in the Commissioners' Circular of the 1st ultimo^b.

The Commissioners again enumerate the several classes of Destitute Persons who can legally receive Relief out of the Workhouse under the first Section of the Act: that is to say,—

1. Destitute Persons who are permanently disabled from labour by reason of old age, infirmity, or bodily or mental defect;

2. Destitute Poor Persons who, being disabled CIRCULARS.
 from labour by reason of severe sickness or serious Relief.
 accident, are thereby deprived of the means of 14 Aug. 1847.
 earning a subsistence for themselves and their
 families whom they are liable by law to maintain ;

3. Destitute Poor Widows having two or more
 legitimate children dependent on them.

These are the only classes who can at present
 receive Out-door Relief of any kind from the Board
 of Guardians ; and it is to the mode of procedure
 in bringing all such cases of destitution on the
 Out-door relief books, and in dispensing to them
 the relief which may be requisite in each case, that
 the Commissioners have now to call the attention
 of the Guardians.

In Article 7, No. 2, of the General Order^a,
 the Relieving Officer is directed to attend at such
 places in his district, at such times of the day, and
 on such days of the week as the Board of Guar-
 dians shall from time to time direct, for the purpose
 of dispensing Relief, and of receiving applications
 for Relief.

To enable the Relieving Officer to perform this
 duty, the Guardians will at once furnish each
 Relieving Officer with a set of books of account, as
 prescribed in the General Order^b.

Secondly, They will fix the place or places in
 his district, at which they deem it necessary for the
 Relieving Officer to attend in each week, for the
 purposes above stated ; and a proper station or
 room must be provided at the expense of the Union,
 for the use of the Relieving Officer at every point
 of his district at which he shall be required so to
 attend.

Thirdly, The Guardians will have to consider
 and determine the amount of cash or other means
 of Relief which it may be necessary to place at the

^a This referred to the General Order of 2nd August, 1847, for re-
 gulating proceedings in the administration of Out-door Relief, &c.
 (in 3rd Edition of *Compendium*, p. 503). That order has since been
 superseded, and the directions referred to are now embodied in the
 General Regulations of 19th January, 1852, the corresponding article
 therein being Article 51, No. ii. (p. 633.)

^b See above, note ^a, and Accounts Order of 8 April, 1853, (in
 Part II. 4, p. 687.)

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disposal of the Relieving Officer each week, in reference to the exigencies of his district.

10 Vic. c. 7;
1847.

With regard to the last point, the Commissioners believe that the number of Destitute Persons falling within the three classes above specified, will be found to be a very limited portion of the population in each Relieving Officer's district. The Relief Lists used under the Temporary Relief Act will, as announced by the Relief Commissioners on the 31st ultimo, be placed at the disposal of the Board of Guardians and their Officers, and those lists may afford material assistance as to the names and number of the persons belonging to the three classes in question, but should by no means be permitted to supersede other means of inquiry, least of all such as must be made into every case by the Relieving Officer in person.

The attention of the Guardians will be at once directed to the best course to be pursued, in dispensing Relief to these three classes of Destitute Persons out of the Workhouse. Under existing circumstances it appears most desirable, that the present accommodation in the Workhouse should, as a general rule, be reserved for the Relief of such able-bodied persons, not falling within the first section of the Extension Act, as may be deemed to be destitute; and the Commissioners are prepared to approve (for the present) the discharge of persons from the Workhouse, who may fall within any of the three classes specified in Section 1, and who may be deemed properly and sufficiently provided for by a weekly allowance out of the Workhouse, so long as the causes of their destitution shall continue to exist.

The question of relieving these classes in money or in kind must next receive attention. The Statute, in prescribing food as the only mode of Out-door Relief to other classes*, does not make the same restriction in regard to the three classes in Section 1.

The Commissioners think that the proved advantages of relieving in food, especially cooked

* 10 Vic. c. 31, § 2 (p. 129).

food^a, are applicable to all classes of the destitute; but they deem it, on the whole, inexpedient to require that course to be pursued, under the present circumstances, with regard to the classes relievable out of the Workhouse under Section 1. Those classes, as already stated, are limited in extent, and the cases they include are of a nature easy to discriminate; and the Relief, therefore, in whatever form administered, is less liable to abuse and imposition than in other cases. For the present, therefore, and until the administrative arrangements are more matured, the Commissioners do not object to allowances of money being made to the destitute of these classes, where the Guardians may not be prepared to dispense Relief to them in cooked food.

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The Relief of Destitute Persons not falling within the three classes specified in Section 1, must be conducted entirely by admission to the Workhouse, until an Order of the Poor Law Commissioners be issued, under the provisions of Section 2.

This Order can only be issued by the Commissioners after it shall have been made to appear to them that adequate Relief cannot be afforded to the last-mentioned classes of Destitute Persons by admission to the Workhouse, either by reason of want of room, or by reason of the prevalence of infectious disease in the Workhouse or Workhouses of the Union; and wherever the Guardians consider that either of these contingencies has arisen, it is necessary that they should so express themselves in a representation of the facts to the Commissioners.

Advantage having been taken of the present season as a fitting season to discontinue, in many Unions, the Relief recently afforded in food to a great portion of the labouring population, and thus to throw them on their own resources, the Commissioners are reluctant, except on clear and distinct recorded grounds, to give effect to that provision of the 10th Vic. c. 31, which authorizes

^a See further, as to use of Cooked Food in the administration of Out-door Relief, Editor's note in p. 951-953

CIRCULARS. Boards of Guardians in Ireland, to give Relief in food out of the Workhouse to able-bodied persons
 Relief. and other persons not included in the classes
 14 Aug. 1847. specified in the first Section of that Statute.

EXTRACT FROM FURTHER CIRCULAR OF THE COMMISSIONERS TO BOARDS OF GUARDIANS AS TO THE ADMINISTRATION OF OUT-DOOR RELIEF ; DATED 26TH AUGUST, 1847.

POOR LAW COMMISSION OFFICE, DUBLIN,
 26th August, 1847.

26 Aug. 1847. The Commissioners think that the evil which is most to be guarded against is the necessity of granting Out-door Relief to able-bodied men ; and that the main point for the Guardians to keep steadily in view is, to make their Workhouse as extensively available as possible for the Relief of this class.

On the difficulty of preventing abuses in granting Out-door Relief to able-bodied men, the Commissioners do not intend to dilate. The experience and observation of Guardians as to what has taken place under the Labour Rate Act and the Temporary Relief Act, will probably have convinced them that although such Relief may be administered with the utmost ability and most upright intentions, it is liable to many abuses. During the past year, indeed, it has been absolutely necessary for the preservation of human life ; but still it is a matter of notoriety, that numerous persons have had a share of the public alms, who ought to have subsisted on their own resources.

On the other hand, very extensive experience has proved, that Relief may be granted to able-bodied men in a well-regulated Workhouse, without entailing the certainty of any very serious evils. Speaking generally, such Relief combines the two important advantages,—1st, that those who are really destitute will accept it ; and 2ndly, that those who are not really destitute will not accept it. And this may be illustrated, without insisting on the decisive experience of England, by referring to what has occurred in Ireland in connexion with the distress of the past year.

During last winter and spring, the Workhouses in Ireland were so full that they contained more inmates than they were originally built to accommodate ; and in some Unions it became frequently the painful duty of Guardians to reject, from want of room, some of the applicants for admission. This shows that Relief in a Workhouse will be accepted when severe distress exists in a population.

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Relief.

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On the other hand, the effect of a Workhouse in bringing to light imposition has been manifested in a remarkable manner, within the last fortnight, in North Dublin Union. During the week ended Saturday the 14th instant, there were above 20,000 persons on the Relief Lists of the North City Electoral Division ; and as the operations under the Temporary Relief Act terminated in North Dublin Union on the 15th instant, the Guardians on the 16th instant had to deal, for the first time, with the apparent necessity of having to provide Relief for above 20,000 persons. On the morning of that day, however, owing to previous arrangements, they had room in the Workhouse of their Union for 400 individuals, and by offering Workhouse Relief to applicants, aided by some assistance from the Mendicity Institution, the Guardians were enabled, in the course of six days, to reduce the number on the Relief Lists to nearly 3,000 persons. This tends to show that those who are not really destitute will not accept Relief in a Workhouse.

The Commissioners do not anticipate that the results of pursuing a similar course in the South and West of Ireland will be equally striking with what has occurred in North Dublin Union ; but still the same principles of Relief to able-bodied men will be found universally applicable, and it may be confidently expected that wherever those principles are acted on, the results will not differ in kind, but only in degree.

In order, therefore, to carry out those principles, the Commissioners make the following recommendations in reference to those Unions wherein the Guardians are of opinion, that it will become necessary for them to grant Out-door Relief to able-bodied men after the 12th of September, if the

CIRCULARS. present mode of administering Relief is not previously altered :—

Relief.
26 Aug. 1847.

1st. To grant Out-door allowances to destitute persons permanently disabled from labour.—The Commissioners think that such allowances should be sufficient in amount to prevent the necessity of begging.

2nd. To grant similar allowances to widows with two or more legitimate children.—The effect of this course will be, to place at the disposal of the Guardians, accommodation for the children of able-bodied men in the children's wards.

3rd. If the above measures are insufficient, to remove all the school children of the Workhouse, with the schoolmaster and schoolmistress, to a separate and distinct establishment.—Such an arrangement, if made permanent, would be attended with numerous moral advantages to the children ; and no one measure would place at the disposal of the Guardians so much additional Workhouse accommodation with such little inconvenience.

4th. To hire a house or houses for the reception of poor persons affected with Fever or other dangerous contagious disease, and to make use of such houses for the reception and medical treatment of such poor persons, in preference to the Workhouse Fever Wards.—This measure would be attended with the double advantage of giving additional Workhouse room to the Guardians, and of diminishing, at the same time, the risk of infection to Paupers in the Workhouse. And it is to be observed, that an Order for authorizing Out-door Relief to able-bodied men, under the second Section of the Irish Relief Extension Act, may become requisite on account of Fever or other infectious disease in the Workhouse.

If, notwithstanding all these four expedients, it is still found necessary to grant Out-door Relief in any Union to able-bodied men, this would appear to the Commissioners an indication that the Workhouse accommodation of the Union was insufficient.

NOTE BY EDITOR, AS TO THE USE OF COOKED FOOD IN THE ADMINISTRATION OF OUT-DOOR RELIEF.

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Relief in
form of
Cooked Food.
1847.

The superiority of issuing cooked food (as, meal made into stirabout, bread, biscuit, &c.) in preference to raw meal or flour or other articles which require cooking, in any extensive system of out-door relief in food, was strongly manifested in the experience obtained under the Temporary Relief Commission during the Famine, as shown in documents issued at that time for the information and guidance of the Relief Committees, Guardians, and others.

The following extracts are from letters addressed by the late Central Board of Health to the Relief Commissioners in 1847, which, although the exigency which gave rise to them has happily passed away, yet contain observations which may be useful, if a necessity for the administration of out-door relief in food, on any extensive scale, should again arise:—

“10 March, 1847.

“The Board of Health suggest, that in all instances, where practicable, the food should be given out in a cooked form; as food, however good in itself, will, if not sufficiently cooked, not afford its full supply of nutriment, and it will moreover predispose to attacks of Dysentery and Diarrhœa now so prevalent through the country.”

The following passages are contained in a further letter of the late Board of Health to the same Commissioners:—

*Central Board of Health,
Dublin, 11th May, 1847.*

“SIR,

“I am directed by the Central Board of Health to acknowledge the receipt of your letter of the 5th instant, relative to the scale of rations for adult destitute persons, and requesting the views of the Board as to the allowance proposed for children. * * *

“The Board of Health now desire to draw the attention of the Relief Commissioners to the communication from the Board of Health of the 10th of March, in which they recommend that ‘in all instances, where practicable, the food should be given out in a cooked form.’ They are now, from reports which have reached them, anxious to urge on the Commissioners the necessity of taking measures to have this recommendation acted on, without exception, in all instances. The Board of Health feel it only necessary to observe, that they fear, unless the principle be fully carried into effect, of giving out the food only in a cooked form, there will be always both an abuse and a serious evil of another kind to contend with. The abuse is the sale of raw meal, for which purchasers are

CIRCULARS. always to be found, to whom even the poor, requiring the food for themselves or family, will dispose of it for money, tea, or tobacco; and the serious evil is, the consumption of meal or rice, but more particularly Indian meal, in a raw or badly cooked state*, which will predispose to, and aggravate Dysentery and Diarrhœa, already so prevalent through the country.

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“The Board of Health also wish to renew their recommendation in their previous communication already referred to, of 10th March, advising as a general principle, that ‘a considerable proportion of the nutriment should be administered in a solid or moderately consistent, rather than in a very fluid form.’ This principle is the more necessary to be attended to on the approach of warm weather, when soup, containing a large proportion of vegetable matter, is so liable to ferment and become sour. The Board of Health would, therefore, suggest that instead of soup ration, under section 26, there should be henceforth substituted—1 pint of soup and 16 oz. of bread, as the daily ration, on soup days. As there are many different forms adopted for making soup, it may be useful to bear in mind, as a general rule, that a pint of meat soup should weigh very nearly $1\frac{1}{2}$ lb.

“In serving out stirabout made of oatmeal, or of oatmeal and Indian corn, of oatmeal and rice, &c.,—in order to prevent all disputes and frauds, and to prevent the error being committed of mistaking bulk for nutriment,—so as to insure that sufficient nutriment is given, the rations should be estimated not by bulk when cooked, but by the actual weight of raw material: thus, as the allowance per diem of meal for a ration is 1lb., care should be taken that when cooked, each ration, whatever be its bulk, should contain the equivalent of 1lb. of raw meal.

“I have the honour, &c.,

“ARTHUR MOORE, *Secretary.*”

* “Inspectors have reported that they have seen the people devouring the raw Indian meal.”

The directions issued by the Relief Commissioners (in March, 1847,) had required that the rations should be issued, as far as practicable, in a cooked form: and the beneficial effect of this course is shown in a further letter from the Central Board of Health, in which they stated as follows:—

“21 June, 1847.

“The Board of Health take this opportunity of acquainting the Relief Commissioners, that they have learned through the Inspectors, and from other sources, that a diminution in the prevalence of Diarrhœa, and a marked improvement in the general health and strength of the people, have followed upon the substitution of cooked food for raw meal; and they, therefore, again recommend that every exertion should be made for extending the use of cooked food in the distribution of rations.”

A report by Mr. Bromley, Accountant of the Relief Commission, on the close of the operations of that commission, contains the following passages:—

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“The almost universal opinion given by the Committees is in favour of *cooked food in preference to raw meal*
 “The result has proved its great advantage A
 “great improvement was rapidly manifested, through its
 “agency, in the general appearance of the people
 “From the use of cooked food, it is reported that fever
 “has been less fatal and dysentery has disappeared
 “It was found to be the most nutritious, the best test of
 “destitution, and the most economical. The saving
 “of fuel to the people was a great desideratum: for that
 “reason alone it was much preferred to the ‘steeped
 “meal,’ in which state it was required to be issued, (if
 “not cooked,) to prevent, if possible, its sale The
 “women and children in particular much preferred cooked
 “food, for it invariably secured to them their rations
 “The really destitute very soon became sensible of its
 “benefits to them; and many persons whose names were
 “on the relief lists, did not apply and take their rations,
 “because they did not consist of raw meal Not-
 “withstanding all these advantages, strange to say, in
 “many Unions cooked food was not generally adopted,
 “until the issue of a peremptory order for its use
 “It is now admitted, that had the system of cooked
 “food been generally adopted at first, much expense
 “would have been saved: and it is strongly urged as the
 “means of out-door relief on any future occasion.”

SURRENDER OF LAND BY APPLICANTS FOR RELIEF:—
 CIRCULAR AND OPINION OF COUNSEL RELATING TO
 THE 10TH SECTION OF 10 VIC. c. 31.

Surrender of
Land.

POOR LAW COMMISSION OFFICE, DUBLIN,
 15th February, 1848.

SIR,—The attention of the Commissioners for administering the Laws for Relief of the Poor in Ireland having been directed,—to cases arising under section 10 of the Irish Poor Relief Extension Act (10 Vic. c. 31)^a, in which applicants for relief who held more than a quarter of a statute acre of land had offered to surrender the land to the landlord or his agent, who, however, refused to accept the surrender unless the applicant also gave up a house held with the land, which the applicant refused to do;—to cases in which an unsuccessful

15 Feb. 1848.

CIRCULARS. attempt has been made by the occupier to surrender his land, even though no such condition was attached to the proposed surrender as that above mentioned;—and to cases in which, the husband being absent from Ireland in search of employment, the wife and children continue in the occupation of his cabin and land, in which cases relief has been refused by Boards of Guardians, on the ground that the wife could not effect a legal surrender, though willing and desirous to do so;—the Commissioners have deemed it right to submit a case to Counsel for his opinion on the subject. A copy of the questions put to Counsel, together with the opinion of Mr. Henn, Q.C., thereon, are now transmitted herewith for the information and guidance of the Guardians in regard to the administration of relief in such cases; and the Commissioners desire to observe, that the Attorney-General for Ireland agrees in the opinion given by Mr. Henn.

Relief.

Surrender of Land.

15 Feb. 1848.

By Order of the Commissioners,

W. STANLEY, *Secretary.**To the Clerk of each Union.*

QUESTIONS AND OPINION ABOVE REFERRED TO.

Queries.

1. Whether the refusal of the surrender by the landlord disqualifies a destitute person from receiving relief under the section of the Act above recited?

2. Whether a person occupying more than a quarter of an acre of land, would be excluded from relief by the provisions of that section, in consequence of a legal incapacity to surrender the land?

Opinion.

1. I think not, provided the party applying does not continue in the occupation of land of greater extent than the quarter of a statute acre.

2. I think a person continuing to occupy such quantity is excluded by the statute, whether capable of legally surrendering his interest in the land or not.

The Guardians are not, in any case, compelled to grant out-door relief. They may always exercise a discretion, where the party applying is one to whom such relief may be granted, and grant relief to such person, either in or out of the Workhouse as to them shall appear fitting; but in cases coming within the 10th section, the Guardians are prohibited from granting any relief, either in or out of the Workhouse. In my opinion, the occupation or non-occupation of

the quantity of land mentioned is made the criterion of destitution; and the Guardians are warranted in relieving any person who is not in such occupation, and they are not bound to investigate title at all, or ascertain whether the tenant's interest has been legally determined by surrender or otherwise.

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—
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Surrender of
Land.
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J. HENN.

2nd February, 1848,
16, Upper Merrion-street.

RELIEF TO FAMILIES OF PERSONS OCCUPYING MORE THAN A QUARTER OF AN ACRE OF LAND:—CIRCULAR TO UNIONS IN IRELAND.

Families
of Persons
holding
Land.

POOR LAW COMMISSION OFFICE, DUBLIN,
23rd May, 1848.

SIR,—The Commissioners for administering the Laws for Relief of the Poor in Ireland have been informed that the families of persons occupying more than a quarter of an acre of land suffer in some cases very great privation, in consequence of the head of the family refusing to give up the occupation of any part of such land, and being therefore not entitled to receive relief under the provisions of 10 Vic. cap. 31, sec. 10^a.

23 May 1848.

The Commissioners have resorted to legal advice on this subject; and I am directed to state, that such members of the family of a person holding more than a quarter of an acre of land as may be destitute can legally be relieved in the Workhouse of the Union; or if the Workhouse be full, the Guardians may relieve them out of the Workhouse, if an Order of the Poor Law Commissioners authorizing the relief of such persons out of the Workhouse, under the 2nd section of the Act, be in operation in the Union in which they reside.

The Commissioners desire at the same time to point out, that the provisional power given to Relieving Officers, under sec. 7 of the Relief Extension Act^b, applies to every class of destitute persons in all cases of sudden and urgent necessity, whether

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the parties be or be not relievable out of the Workhouse by the Board of Guardians in virtue of any Order of the Poor Law Commissioners, issued under the 2nd section of the Extension Act.

It is not to be understood, however, from the above observations, that a person occupying more than a quarter of an acre is himself relievable either in or out of the Workhouse.

I am to desire that you will call the immediate attention of the Board of Guardians to the contents of this Circular, and to the necessity of their at once giving instructions to the Relieving Officers of the Union accordingly.

I have, &c.,

W. STANLEY, *Secretary.*

To the Clerk of each Union.

RELIEF TO FAMILIES OF PERSONS OCCUPYING MORE
THAN A QUARTER OF AN ACRE OF LAND :—FURTHER
CIRCULAR TO UNIONS IN IRELAND.

POOR LAW COMMISSION OFFICE, DUBLIN,
8th June, 1848.

8 June 1848.

SIR,—Adverting to their Circular of the 23rd ultimo, concerning the relief which may legally be afforded from the poor rates to the destitute wives and children of persons occupying more than a quarter of an acre of land, the Commissioners for administering the Laws for Relief of the Poor in Ireland direct me to state, that having reason to believe that some misapprehension exists as to the precise nature of the modifications which the law, as explained in that Circular, may introduce into the administration of relief, they desire to make the following observations.

The only practical difference which that Circular need make in the administration of relief is, *that Boards of Guardians and Relieving Officers should not permit the wife or child of a person occupying more than a quarter of an acre of land to die of starvation, or to suffer extreme privations, because the husband or father (as the case may be) refuses to qualify himself for relief, by ceasing to occupy more than such quarter of an*

acre. But it would be an entire perversion of the meaning of the Law, and of the language and meaning of the Circular, to give relief *systematically and indiscriminately* to the wives and children of persons occupying more than a quarter of an acre of land, when the legislature has expressly declared that such occupiers are not to be deemed destitute.

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Relief.

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of Persons
holding
Land.

8 June 1848.

If such occupiers are really able to maintain their wives and families, Boards of Guardians have exactly the same remedy under the Irish Vagrant Act (10 & 11 Vic. c. 84^a), against them, as against a person in employment with high wages who “deserts or wilfully neglects to maintain his wife or any child whom he may be liable to maintain, so that such wife or child shall become destitute and be relieved in or out of the Workhouse of any Union in Ireland.” Under that Act, any such occupier may be prosecuted for wilfully neglecting to maintain his wife or child, and he “*shall*, on conviction thereof, before any Justice of the Peace, be committed to the Common Gaol or House of Correction, there to be kept to hard labour for any time not exceeding three calendar months.”

It is true that Boards of Guardians have no adequate protection against a person who, although he persists in occupying more than a quarter of an acre of land, is so poor that he cannot be said, in the legal sense of the words, wilfully to neglect to maintain his wife or child, and who yet is practically the cause of the destitution of such wife or child, by his refusing to bring himself within the conditions through which he would be entitled by law to relief. The Guardians will be thus exposed to numerous attempts at imposition, which can only be successfully met by patient inquiry and discrimination on the part of themselves and of Relieving Officers. At the same time, it is to be remembered, that Boards of Guardians are now deemed to be in a position which will enable them to save an innocent wife or child from death by starvation, arising from the obstinacy of a hus-

^a Page 152.

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Relief.

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of Persons
holding
Land.

8 June 1848.

band or father ; and means are thus afforded for the better securing an object which must be regarded as the principal aim of every Poor Law, viz., the preservation of human life.

By Order of the Commissioners,

W. STANLEY, *Secretary.*

To the Clerk of each Union.

Admission
of Poor
Persons, not
destitute, to
Fever
Hospital.

30 April 1856.

ADMISSION OF POOR PERSONS, NOT DESTITUTE, TO
UNION FEVER HOSPITAL :—CIRCULAR TO UNIONS
AND OPINION OF SOLICITOR-GENERAL.

POOR LAW COMMISSION OFFICE, DUBLIN,
30th April, 1856.

SIR,—The Commissioners for administering the Laws for Relief of the Poor in Ireland having been made aware that, in some Unions, the relief afforded to persons affected with fever or other dangerous contagious disease, was not limited to the Destitute Poor, or even to the class of persons who appear to be specially contemplated by the 16th sec. of the Act 6 & 7 Vic. c. 92^a, viz.—“Poor Persons” as distinguished from “DESTITUTE Poor Persons;” they thought it advisable to obtain the opinion of Counsel on the subject, and also as to whether poor persons could legally be admitted to the Workhouse Fever Hospital on the condition of a certain fixed payment being made towards the cost of their maintenance and treatment while there.

A case was accordingly laid before the Solicitor-General (Mr. Christian); and the Commissioners now transmit, for the information of the Board of Guardians, a copy of the Queries submitted to him, and of the opinions given by him thereon ; from which it will be seen that he is of opinion that persons answering the description of “Poor,” though not being “Destitute,” may be admitted to the Workhouse Fever Hospital, if affected with fever or other dangerous contagious disease ; and that there is no objection to such persons being allowed or required to contribute to their own maintenance in so far as their means will allow ; but, that he thinks it will

be better that, to the extent of the repayment intended, the relief should be declared to be by way of loan.

Strict care should of course be taken, as suggested in Mr. Christian's opinion, that the law be not perverted by being applied to the relief of persons who do not *bonâ fide* come under the definition of "POOR."

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Relief.

Admission

of Poor

Persons, not

destitute, to

Fever

Hospital.

30 April 1856.

By Order of the Commissioners,

B. BANKS, *Chief Clerk.*

To the Clerk of each Union.

QUERIES AND OPINIONS REFERRED TO IN THE FOREGOING CIRCULAR.

1. Whether the Board of Guardians can legally admit into the Fever Hospital of the Workhouse poor persons, not being destitute, on condition of a certain fixed payment being made towards the cost of their maintenance and treatment while there?

The practice which is stated to have prevailed of considering the 16th sec. of the 6th & 7th Vic. c. 92, as including persons answering the description of "Poor" though not being "Destitute," is, I think, warranted by the terms of the Statute; and if so, I do not see any objection to those persons being allowed or required to contribute to their own maintenance, &c., so far as their means will allow. Strict care should, however, be taken, that the law be not perverted by being applied to the relief of persons who do not *bonâ fide* come under the definition of "POOR."

2. Assuming that the Guardians can admit poor persons affected with fever into the Workhouse, and receive payment for their maintenance and treatment in the way proposed, whether, in order to enable them to do so, it will be necessary for them to declare the relief given to be by way of loan, as in the case of destitute persons?

I think it will be better that, to the extent of the repayment intended to be taken, the relief shall be declared to be by way of loan.

J. CHRISTIAN,
Leeson-street.

April 26th, 1856.

CIRCULARS. PREVIOUS NON-RESIDENCE IN UNION NOT A GROUND FOR
 Relief. REFUSING RELIEF TO DESTITUTE POOR :—CIRCULAR
 Non- TO UNIONS.

residence of
 applicant
 for relief.

POOR LAW COMMISSION OFFICE, DUBLIN,
 29th December, 1847.

29 Dec. 1847.

The Commissioners having observed that in some instances relief has been refused to applicants, or discontinued to paupers to whom it had been given, on the ground that they had not previously resided in the Union, or had not resided in it for a certain time, or that they “do not belong to the Union,” I am directed by the Commissioners to point out to the several Boards of Guardians, that previous residence in the Union is not, by any provisions of the Irish Poor Relief Acts, made a condition upon which relief should be given,—destitution being the sole ground of relief; and that if any applicant be deemed by the Guardians, in the exercise of their discretion in regard to the case, a fit object for relief as a destitute person, such person should be relieved in the Union in which he is or becomes destitute and applies for relief, without regard to the circumstance of his having been previously resident therein or not, or to the length of time during which he may have been resident.

By the provisions of the Irish Poor Relief Extension Act (10 Vic. c. 31), the Guardians are now required to make provision for the relief of all classes of destitute persons, either in or out of the Workhouse; and the consideration whether a destitute person has or has not been previously resident in the Union, cannot legally affect his claim to relief under the provisions of the acts, although the mode in which the cost of such relief is afterwards to be charged, either to the Union at large, or to particular Electoral Divisions, is to be determined according to his previous residence, in accordance with section 12 of 10 Vic. c. 31.

I have, &c.

To the Clerk of the Guardians of each Union.

REMOVAL OF PAUPERS FROM ONE UNION TO ANOTHER:— CIRCULARS.

CIRCULAR TO BOARDS OF GUARDIANS, WITH Relief.
OPINION OF THE ATTORNEY-GENERAL.POOR LAW COMMISSION OFFICE, DUBLIN,
3rd February, 1851.Removal of
Paupers from
one Union
to another.

3 Feb. 1851.

Complaints have in some instances been made that (notwithstanding the state of the law as explained in the Commissioners' Circular of 29th December, 1847,^a) persons receiving or applying for relief had been improperly sent or removed by Boards of Guardians or their Officers from one Union to another, in Ireland, on the ground that they did not "belong" to the Union in which relief had been applied for, or had not resided therein for any length of time previously to the application for relief.

The Commissioners have therefore obtained the opinion of the Attorney-General for Ireland as to the existence of any legal means of redress for a Union to which the burthen of relieving a destitute poor person had been improperly transferred in the manner above described, by the Board of Guardians of another Union: and the Commissioners are advised by the Attorney-General that an indictment would lie against a Board of Guardians for causing paupers to be so removed from their Union to another, thereby burthening the latter with the cost of their support.

By Order, &c.

To the Clerk of the Guardians of each Union.

REMOVAL OF PAUPERS FROM ONE UNION TO ANOTHER:—

FURTHER CIRCULAR TO BOARDS OF GUARDIANS.

POOR LAW COMMISSION OFFICE, DUBLIN,
30th May, 1853.

Several cases have been recently brought under the notice of the Commissioners, in which it appeared that Paupers who had been discharged from the Workhouse, and who were desirous of proceed-

30 May, 1853.

^a Page 960.

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 Relief.
 Removal of
 Paupers from
 one Union
 to another.
 30 May, 1853.

ing to distant parts of the country, had been furnished with documents signed by the Master or some other Officer of the Workhouse, certifying the fact of the Pauper's discharge from the Workhouse, his desire to proceed to some distant Union, and his inability to maintain himself on the road, and recommending the Masters of the several Workhouses at which he might apply on the journey to afford him food and shelter for the night.

This practice is open to very serious objections, not only on account of its tendency to encourage mendicancy, but also as promoting a direct breach of the 3rd Sec. of the Vagrant Act, (10 and 11 Vic., c. 84,) which renders the going from one Union to another for the purpose of obtaining relief, a punishable offence^a.

In the Commissioners' Circular Letter of the 3rd of February, 1851^b, they communicated to the Board of Guardians the opinion of the then Attorney-General, that an indictment would lie against a Board of Guardians for causing Paupers to be removed from their union to another, thereby burdening the latter with the cost of their support; and although the cases now referred to are somewhat different from those on which this opinion was given, the Commissioners think it probable that parties who are proved to have been guilty of promoting the commission of an offence under the Vagrant Law, in the way described, might be held to be liable to punishment; and the Commissioners will deem it their duty to take very serious notice of the conduct of any Union Officer who may hereafter be proved to have given documents of the nature above mentioned to paupers on their discharge.

The Commissioners request that the contents of this Circular may be made known to all the Officers of the Union.

By Order, &c.

To the Clerk of each Union.

^a 10 & 11 Vic. c. 84, § 2, p. 153.

^b p. 961.

EVIDENCE OF DESERTION AND NEGLECT TO MAINTAIN CIRCULARS.
 FAMILY :—CIRCULAR TO BOARDS OF GUARDIANS, Relief.
 WITH OPINION OF ATTORNEY AND SOLICITOR Desertion of
 GENERAL. Family.

4 June, 1853.
 POOR LAW COMMISSION OFFICE, DUBLIN,
4th June, 1853.

Some cases having been brought under the notice of the Commissioners, in which parties had been summoned under the provisions of the Irish Vagrant Act^a, for deserting or wilfully neglecting to maintain persons whom they were liable by law to maintain, and in which questions had arisen as to the necessity of certain evidence being given to justify the Magistrates in convicting the parties charged, the Commissioners have caused a case to be laid before the Attorney and Solicitor General for Ireland on the subject, and they have now directed me to communicate to you, for the information of the Board of Guardians, the opinion given thereon.

I am accordingly to state that the Attorney and Solicitor General have expressed an opinion that “in a prosecution for deserting a wife, it is not indispensable that any proof should be given of the husband’s ability to maintain, but it must be sufficiently proved that he has abandoned her, and not left with intent to earn money for the support of himself and family.” They are of opinion likewise that “in a prosecution for wilfully neglecting to maintain, some evidence of ability to maintain must be given by the Prosecutor ; slight evidence would perhaps be sufficient, as the onus of proving inability ought properly to lie on the person who relies on it as his justification for the non-performance of a duty both moral and legal.”

It will be observed from the tenor of the above opinions, that “Desertion” and “Wilful Neglect to Maintain” are regarded as distinct and separate offences.

By Order, &c.

To the Clerk of each Union.

^a 10 & 11 Vic. c. 84, § 2, p. 152.

CIRCULARS.

Marriage
Notices.

8 Feb. 1849.

3.—MARRIAGE NOTICES.

CIRCULAR TO CLERKS OF UNIONS IN IRELAND.

POOR LAW COMMISSION OFFICE, DUBLIN,
8th February, 1849.

I am directed by the Commissioners to call your attention to the 15th section of the Marriage Act (7 & 8 Vic. c. 81)^a, which requires that the Clerk of each Union in Ireland should read the Notices of Marriage which he receives from the District Registrar immediately after the Minutes of the Proceedings of the Guardians at their last previous meeting shall have been read, and that such Notices be so read during three successive weeks after receipt of them.

The Commissioners request that you will carefully conform to these provisions of the Act above referred to, and that you will be particular to record on the Minutes of the Proceedings of the Board of Guardians the reading of the Notices of Marriage.

The Commissioners also request that you will answer, regularly, any communications which may be made to you by the Registrar-General of Marriages in Ireland.

By Order, &c.

To the Clerk of each Union.

FURTHER CIRCULAR TO CLERKS OF UNIONS.

POOR LAW COMMISSION OFFICE, DUBLIN,
21st March, 1850.

21 Mar. 1850.

The Commissioners have been in communication with the Registrar-General of Marriages in Ireland, relative to the Notices of Marriages about to take place under the provisions of the Act 7th and 8th Vic. cap. 81, which are required to be laid before the Board of Guardians for the Union in which the Marriage is proposed to be solemnized; and the Commissioners desire me to acquaint you, that as

the 14th Section of the above-mentioned Act^a requires such Notices to be filed among the Records of the Registrar's Office, the Commissioners think that any Notices which have been or which may hereafter be received by you, should be returned to the District Registrar, after the formalities required by the Act to take place at the meetings of the Board of Guardians in respect to them shall have been completed.

By Order, &c.

To the Clerk of each Union.

4.—PARLIAMENTARY VOTERS ACT^b.

FROM A CIRCULAR FROM THE COMMISSIONERS OF POOR LAW TO CLERKS OF UNIONS AS TO THEIR DUTIES UNDER PARLIAMENTARY VOTERS ACT, 13 & 14 VIC., CAP. 69^b.

CIRCULARS.
Marriage
Notices.
21 Mar. 1850.

Duties of
Union Clerk
under Par-
liamentary
Voters Act.
29 May, 1852.

POOR LAW COMMISSION OFFICE, DUBLIN,
29th May, 1852.

The Commissioners now desire to draw your attention to other provisions of the Act, imposing duties to be performed by Clerks of Unions in the present and future years^c.

2. Under section 16 of the Act, in regard to *Coun- ties*, the Clerk of the Peace is required to transmit to you, on or before the 1st of June in each year, his precept requiring your attention to the Instructions laid down for your guidance, together with a copy or copies of the List of registered Voters or of the Register of Voters, and Forms for Supplemental Lists of Rate-payers, in the respective Baronies of which any part is comprised in the Union for which you act as Clerk; and sections 19 and 20 of the Act provide as follows:—

“§ 19. And be it enacted, That the Clerk of

^a Page 396, note a.

^b For provisions of Parliamentary Voters Acts, so far as concerns the duties of Poor Law Officers, see p. 337–351.

^c Previous Circulars here adverted to in the commencement of the present letter had reference to the duties of the Union Clerks in the first year after the passing of this act; and the occasion having passed by, they are not inserted herein. The present Circular contains such portions only of the clauses as are of permanent application.

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each Poor Law Union wholly or in part within the Limits of any County in *Ireland*, on or before the Eighth Day of *July* in every Year after One thousand eight hundred and fifty-one, shall, after due Inquiry, which he is hereby required to make, with the Assistance of the respective Collector or Collectors of Poor Rates (which Assistance such Collector or Collectors is and are hereby required to give), upon the Copy of the Register of each Barony or Division of a Barony of such County included within such Union, transmitted to him in such Year by the Clerk of the Peace of such County, enter Objections to the Names of Persons not entitled to be on the Register then next to be made, in Manner following: that is to say, such Clerk of the Union shall add, by a Stamp or in Writing, in the Margin for such Purpose, the Word “objected” or “dead,” before the Name of any Person whose Qualification, as stated on such Copy of Register, is as rated Occupier of Lands, Tenements, or Hereditaments of the annual Value of Twelve Pounds or upwards,—if such Person shall not have been rated in the then last Rate made under the Acts for the more effectual Relief of the destitute Poor in *Ireland* as the Occupier of the same Lands, Tenements or Hereditaments in such respective Barony of a net annual Value of Twelve Pounds or upwards,—or if such Person shall not, on or before the First Day of *July* in such Year, have paid all Poor Rates (if any) which shall have become payable by him in respect of such Lands, Tenements, or Hereditaments previously to the First Day of *January* in such Year,—or if such Clerk of the Union shall have reasonable Cause to believe such Person not to be or to have ceased to be Occupier as aforesaid, or not to have been such Occupier during the whole Period from the Twentieth Day of *July* in the then last preceding Year to the then present Time,—or if such Clerk of the Union shall have reasonable Cause to believe such Person not to be entitled to have his Name on the Register of Voters then next to be made for such County, or to be dead, as the Case may be; and such Copies of Register shall be in the Form and shall contain the Particulars men-

tioned in the Form (Number 14) in the Schedule (A) to this Act annexed; and such Copies of Register shall be signed by such respective Clerk of the Union, and shall be verified by him as true and correct, according to the best of his Belief, by an Oath to be made by him before some Justice of the Peace in and for the said County within which such Lands are situate, or the County in which the Union Workhouse is situate, and which Oath any such Justice is hereby authorized and required to administer, and to certify at the Foot of such Copies of Register the taking of such Oath: and such Clerk of the Union shall return each such Copy of Register, with all such marginal Additions as aforesaid, to the Clerk of the Peace of such respective County wherein such Barony or Division of a Barony is situate, on or before the Eighth Day of *July* in such Year: Provided always, that in case any Barony of a County shall be divided so as to lie in more than One Union, the Clerk of the Peace of such County shall transmit as aforesaid One or more Copies of Register for such Barony to the Clerk of each such Union, together with a List of the Townlands situate in the respective Division of such Barony situate in such Union, who shall deal with such Copy of Register, and the Names of the Persons contained therein, so far as it relates to the Division of such Barony within his Union, in all respects as in this Provision is directed or required in the Case of a Barony not so divided.

“§ 20. And be it enacted, That the Clerk of each Poor Law Union wholly or in part within the Limits of any County in *Ireland* shall, on or before the Eighth Day of *July* in every Year after the Year One thousand eight hundred and fifty-one, make out, and, together with such Copy of Register for each such Barony or Division of a Barony of the County within his Union, transmit to the Clerk of the Peace of the County as aforesaid, a Supplemental List of every Male Person of full age not already appearing on such Copy of Register, who shall be rated in the then last Rate made under the Acts for the more effectual Relief of the destitute Poor in *Ireland* as the Occupier of any Lands, Te-

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nements, or Hereditaments situate within such Union, and in such respective Barony or Division of a Barony, as the Case may be, of a net annual Value of Twelve Pounds or upwards,—excluding nevertheless from such Supplemental List every such Occupier who shall not, on or before the First Day of *July* in such Year, have paid all Poor Rates (if any) which shall have become payable by him in respect of such Lands, Tenements, or Hereditaments previously to the First Day of *January* then last: and such Clerk of the Union is hereby required, after due Inquiry as aforesaid, with the Assistance of the respective Collector or Collectors of Poor Rates as aforesaid, (which Assistance such Collector or Collectors is and are hereby required to give,) to enter Objections before the Names of Persons in such Supplemental List contained, and not entitled to be on the Register next to be made, in like Manner in all respects and in the like Cases as in the immediately preceding Provision directed and required with regard to the Copy of Register of such Barony or Division of a Barony and the Names therein contained: and such Supplemental List shall be in the Form and shall contain the Particulars mentioned in the Form (Number 15) in the Schedule (A) to this Act annexed; and such List shall be signed by such respective Clerk of the Union, and shall be verified by him as true and correct, according to the best of his Belief, by an Oath to be made by him before some Justice of the Peace in and for the said County within which such Lands are situate, or the County in which his respective Union Workhouse is situate, and which Oath any such Justice is hereby authorized and required to administer, and to certify at the foot of such List the taking of such Oath.”

3. With regard to *Cities, Towns, or Boroughs*, returning Members to Parliament, you will observe that the 32nd section of the Act requires you to make out and transmit to the Town Clerk, on or before the 8th of July in the present and each succeeding year, a List of Rate-payers under the rate last made at that date, in like manner as such List was required to be made in the first instance in

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1850 ; the terms of this section, to which the attention of Clerks of Unions has been already called in the Circular of 29th August, 1850^a, are as follows :—

“§ 32. And be it enacted, That the Clerk of every Poor Law Union comprising the whole or any Part of any City, Town, or Borough in *Ireland* returning a Member or Members to serve in Parliament, shall, . . . on or before the Eighth Day of *July* in every Year after One thousand eight hundred and fifty-one, make out and transmit to the Town Clerk of each such City, Town, or Borough, a List of every Male Person of full Age who shall be rated in the then last Rate made under the Acts for the more effectual Relief of the destitute Poor in *Ireland*, as the Occupier of any Lands, Tenements, or Hereditaments situate within such City, Town, or Borough, of a net annual Value of Eight Pounds or upwards,—and of every such Person as last aforesaid who shall be rated in the then last Rate made under the said Acts jointly with any other Person or Persons as the Occupier of any such Lands, Tenements, or Hereditaments, situated as aforesaid, of a net annual Value of such an Amount as when divided by the Number of Occupiers would give to each such Occupier a net annual Value of Eight Pounds or upwards,—excluding nevertheless from such List every such Occupier, and every such joint Occupier, who, . . . in each Year after One thousand eight hundred and fifty-one, shall not, on or before the First Day of *July* in such Year, have paid all Poor Rates (if any) which shall have become payable by him in respect of such Premises previously, . . . in any Year after One thousand eight hundred and fifty-one, to the First Day of *January* then last ; and such Lists shall be in the Form and shall contain the Particulars mentioned in Form No. (6) in the Schedule (B) to this Act annexed ; and such Lists shall be signed by such respective Clerk of the Union, and shall be verified by him as true and correct according to the best of his Belief, by an Oath or Declaration to be taken or made by him before some Justice of the Peace acting in and for the said City, Town, or Borough, or the County in

^a See note ^c in page 965.

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which the Union Workhouse is situate, and which Oath or Declaration any such Justice is hereby authorized and required to take."

4. You will observe that under section 25, any person whose name shall be on the List of Voters for Counties, is empowered to inspect the rate books within the periods specified in the section, and to take extracts therefrom, without payment of any fee; and in section 35, like provision is made in regard to any person named on the Lists of Voters for Cities, Towns, or Boroughs, or persons who shall have claimed to have their names inserted in such Lists; and you will afford all necessary facilities for such inspection, on application made for the purpose by any such person.

5. Your attention is further requested to the provisions under which Clerks of Unions, or deputies appointed by them for the purpose, are required to attend the Revision Courts, with the rate books or compared copies thereof, and other documents, and to give evidence (sections 46, 48, 49); and Collectors of poor-rates may be required by the Assistant Barrister to attend and give evidence, (sec. 50). The Clerks and Collectors may be fined for non-attendance when summoned by the Assistant Barrister, (sec. 66); and Clerks of Unions, and other Officers, are liable to penalties for neglect of duties in other respects, (sec. 67); and are also liable to an action, by any party aggrieved, for breach of duty, whereby a penalty of £100 (sec. 103) may in such case be incurred.

6. The Commissioners forward to you herewith copies of a Circular, dated this day, addressed to Collectors of poor-rates^a, of which you will transmit a copy to each of the Collectors at present appointed in the Union of which you are Clerk, and to each Collector who may be hereafter appointed therein. If the enclosed copies are not sufficient for this purpose, you are requested to apply to this office for any additional number which may be required.

By Order, &c.

To the Clerk of each Union.

FROM A CIRCULAR FROM THE COMMISSIONERS OF POOR CIRCULARS.

LAW TO COLLECTORS OF POOR RATE, AS TO THEIR Duties of
 DUTIES UNDER THE PARLIAMENTARY VOTERS ACT, Collectors,
 13 & 14 VIC., CAP. 69^a. under Par-
liamentary
Voters Act.

POOR LAW COMMISSION OFFICE, DUBLIN, 29 May, 1852.
 29th May, 1852.

1. The Commissioners direct your attention to those provisions of the Parliamentary Voters Act 13 & 14 Vict., cap. 69^a, (a copy of which has been forwarded to the Clerk of the Union in which you act as a Collector of Poor Rates,) which impose duties upon the Collectors of Rates in the present and future years, and which will require your careful observance.

2. With respect to the *County* Registration, the Commissioners desire to call your attention to the 19th & 20th Sections of the Act, which are as follow :—

(They are then quoted, as in Circular to Clerks of Unions, p. 965-968.)

3. You will not fail to render to the Clerk the assistance which you are required by the above Sections to afford him in the inquiries which it will be his duty to make under the above quoted provisions of the Act.

4. With respect to *Cities, Towns, or Boroughs*, returning a Member or Members to Parliament, it will be your duty, under § 31, to furnish to the Town Clerk of any such City, Town, or Borough in the Union, when required by him to do so, a List of Persons who shall not have paid their rates as required by the Act. The Section is to the following effect :—

“§ 31. And be it enacted, That the Town Clerk of every such City, Town, or Borough, for his Assistance in making out the List of Voters as hereinafter mentioned, (upon Request made by him at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day, except *Sunday*, between the Sixteenth Day of *June* and the Twentieth Day of *July* in every Year after One

^a For provisions of Parliamentary Voters Acts, so far as concerns the duties of Poor Law Officers, see p. 337-351.]

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thousand eight hundred and fifty-one, to any Collector of Poor Rates, or to any other Officer having the Custody of any such Rate or Rate-Book), shall have free Liberty to inspect the same, and to extract such Particulars as may appear to such Town Clerk to be necessary ; and every Collector of Poor Rates of Premises within such City, Town, or Borough, or Officer having the Custody of the Rate Books relating to the same, shall (if required by the Town Clerk) within Four Days after . . . the First Day of *July* in every Year after One thousand eight hundred and fifty-one, make out and deliver to the said Town Clerk a List containing the Name and Place of Abode of every Person who shall not have paid on or before . . . the said First Day of *July* in each Year after One thousand eight hundred and fifty-one, all such Rates within the Collection of such Collector as aforesaid which shall have become payable by him (if any) in respect of the Occupation of any Lands, Tenements, or Hereditaments in such City, Town, or Borough, describing such Premises . . . previously, in any succeeding Year, to the First Day of *January* in such Year ; and the Town Clerk shall keep the said List, to be perused by any Person, without Payment of any Fee, at any Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon of any Day, except *Sunday*, during the first Fourteen Days after the List of Voters shall have been published as herein-after mentioned.”

5. Your special attention is requested to the provisions of Section 109 of the Act, which requires the attendance of yourself or a deputy duly appointed by you in writing, at a place in each Barony in your District, (and in like manner in any City, Town, or Borough, returning a Member or Members to Parliament, in your District), on the Four Days comprising the three last days of June and the 1st July (exclusive of Sunday) in the present and subsequent years, for the receipt of rates ; and you are required to give notice, which notice should be published in the usual places for posting notices in your District, of the time and place of such

attendance in each Barony for this purpose. You are also required to make a return to the Clerk of the Union of the names and descriptions of the persons who shall have paid their rates, within two days after the dates referred to. The Section of the Act provides as follows ; and you will observe that you are liable to a penalty of Ten Pounds for any failure to comply with the requirements of that Section, or to render assistance to the Clerk of the Union under the provisions of the 19th and 20th Sections :—

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“ § 109. And be it enacted, That the respective Collector of Poor Rates shall attend in Person, or by a sufficient Deputy duly appointed by him by Writing under his Hand, at some Place in each Barony (of which he shall give public Notice) within the Union or Part of the Union whereof he is Collector, in each Year after One thousand eight hundred and fifty-one, during the First Day of *July* (not being *Sunday*) and during the Three next preceding Days, exclusive of *Sunday*, or if the First Day of *July* be *Sunday* then during the Four next preceding Days in each such Year, for the Purpose of giving Receipts for Poor Rate to any Persons requiring the same, and paying the Amount of Poor Rate then payable by them ; and the respective Collector of Poor Rate, or a sufficient Deputy for him as aforesaid, shall in like Manner attend at a Place (of which he shall give public Notice) in every such City, Town, or Borough as aforesaid, within the Union or Part of the Union of which he is Collector, (as regards each Year after One thousand eight hundred and fifty-one) during the First Day of *July* (not being *Sunday*), and during the Three next preceding Days, exclusive of *Sunday*, or if the First Day of *July* be *Sunday* then during the Four next preceding Days in each Year, for the like Purpose : and if any such Collector of Poor Rates shall not return to the Clerk of the respective Union the Names and Descriptions of the Persons who shall have paid their Poor Rates, and a Statement of the Sums respectively paid by them, within the Space of Two Days after the First Day of *July* in any Year after

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One thousand eight hundred and fifty-one, or if any such Collector shall neglect or refuse to give his Assistance to the Clerk of the respective Union as by this Act required in or for the making out the Return or List of Rated Occupiers or the Copy of the Register in any Year, for the Purposes of this Act, or shall wilfully and without reasonable Cause give any false Information which may lead to the Omission of, or the entering of an Objection to, the Name of any Person entitled to be inserted in such List, or to the Insertion of the Name of any Person not entitled to be inserted therein, such Collector shall be liable to a Penalty not exceeding Ten Pounds, to be recovered summarily, before any Justice of the Peace and levied by Distress."

6. You will also have to attend the Revision Court and give evidence when required by the Assistant Barrister, under Section 50 ; and under Section 66 you are liable to a penalty for non-attendance when summoned to attend such Court^a.

By Order, &c.,

To each Collector of Poor Rates.

^a See note ^a in p. 971.

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PART IV.—FORMS.

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(See the various Acts; and List 1, in page 976.)

FORMS.

1. UNDER
STATUTE.

2. FORMS PRESCRIBED BY COMMISSIONERS' ORDERS, &c.

(See the various Orders, &c.; and List 2, in p. 977-980.)

2. UNDER
ORDERS, &c.

3. LEGAL AND MISCELLANEOUS FORMS.

(See List 3, in p. 980-982.)

3. LEGAL
AND MISCEL-
LANEOUS.

No. 1.—Bond Form I.—Bond for Clerk of a Union, and his Sureties.

OFFICERS'
BONDS.

No. 1.
For Clerk.

KNOW ALL MEN BY THESE PRESENTS, That WE, A. B., of —, C. D., of —, and E. F., of —, are jointly and severally held and firmly bound to the GUARDIANS OF THE POOR of the — Union in the Sum of —, of good and lawful Money of the United Kingdom of Great Britain and Ireland, to be paid to the said Guardians, or their certain Attorney, Successors, or Assigns, for which Payment to be well and faithfully made We bind ourselves jointly, and each of us bindeth himself severally, our and each and every of our Heirs, Executors, and Administrators, and every of them, firmly by these Presents, sealed with our Seals. Dated this — day of —, in the year of our Lord One Thousand Eight Hundred and —.

WHEREAS the above-bounden A. B. hath been duly appointed Clerk to the said Guardians of the Poor of the — Union, and hath been required to enter into a Bond with two sureties to the said Guardians of the Poor of the — Union, in the Penalty hereinbefore mentioned, to be conditioned as hereinafter is set forth, and hath requested the above-bounden C. D. and E. F. to join with him as such Sureties in the above Bond, subject to the Condition hereinafter contained, to which they have assented; and the said Guardians have agreed to accept of them as such Sureties accordingly.

NOW THE CONDITION of this Obligation is such, that if the above-bounden A. B. do and shall, from time

FORMS.

OFFICERS'
BONDS.No. 1.
For Clerk.

to time, and at all times hereafter, whilst he shall be employed in the said office of Clerk to the said Guardians of the Poor of the — Union, and until he shall be discharged therefrom by Order of the Commissioners for administering the Laws for Relief of the Poor in Ireland, or by and with their assent shall cease and discontinue to hold the said office of Clerk to the said Guardians of the Poor of the — Union, duly and faithfully execute and discharge all the duties of the said office, as prescribed by the said Commissioners, and shall perform the same in person, except in case of absence in consequence of sickness or accident, or with the leave of the said Guardians; and if the above-bounden A. B. shall, when required so to do by the said Guardians, or by the said Commissioners, hand over or deliver up to the said Guardians, or to such person or persons as they may authorize to receive the same, all Books, Accounts, Vouchers, Papers, and Writings, which may have come into his custody as Clerk of the said Guardians, or which may in any way appertain to the affairs of the said Union or to the said Guardians; and if the above-bounden A. B. shall, while he holds the said office, diligently serve the said Guardians, and conduct himself honestly in all respects in the transaction of any business either belonging to the said office of Clerk or intrusted to him by the said Guardians, then the foregoing Bond or Obligation shall be void.

Signed, sealed, and delivered by the
above-bounden A. B., C. D., and
E. F., in presence of

A. B. (Seal.)
C. D. (Seal.)
E. F. (Seal.)

No. 2.
For Collector
of Poor Rate,
where Cess
Collector
also.

No. 2.—Bond Form II.—Bond for Collection of Poor Rates by a Cess Collector.

KNOW ALL MEN BY THESE PRESENTS, *That WE, A. B., of —, C. D., of —, and E. F., of —, are jointly and severally held and firmly bound to the GUARDIANS OF THE POOR of the — Union, in the Sum of —, of good and lawful Money of the United Kingdom of Great Britain and Ireland, to be paid to the said Guardians, or their certain Attorney, Successors, or Assigns, for which Payment to be well and faithfully made We bind ourselves jointly, and each of us bindeth himself severally, our and each and every of our Heirs, Executors, and Administrators, and every of them firmly by these Presents, sealed with our Seals. Dated this — day of —, in the year of our Lord One Thousand Eight Hundred and —.*

WHEREAS the above-bounden A. B. is a Collector authorized to collect County Cess within the Electoral Division

of — of the said — Union, and the Commissioners for administering the Laws for Relief of the Poor in Ireland have approved of his being employed to collect the Poor Rates on Hereditaments situated in the said Electoral Division of —, and have also approved of the Salary or Allowance which he has agreed to accept for his trouble in this behalf, and of the Security to be given by him as hereinafter mentioned. AND WHEREAS the said A. B. hath been required to enter into the said Security in a Bond with two Sureties to the said Guardians of the Poor of the — Union, in the penalty hereinbefore mentioned, to be conditioned as hereinafter is set forth, and hath requested the above-bounden C. D. and E. F. to join with him as such Sureties, in the above Bond, subject to the Condition hereinafter contained, to which they have assented; and the said Guardians have agreed to accept of them as such Sureties accordingly.

FORMS.

OFFICERS'
BONDS.

No. 2.

For Collector
of Poor Rate,
where Cess
Collector
also.

NOW THE CONDITION of this Obligation is such, that if the above-bounden A. B. do and shall, from time to time, and at all times hereafter, whilst he shall be employed in the said office of Collector of Poor Rates as aforesaid, and until he shall be discharged therefrom by Order of the said Commissioners, or by and with their assent shall cease and discontinue to hold the said office of Collector, duly and faithfully execute and discharge all the duties of the said office, as prescribed by the said Commissioners, and collect the whole of the Rates and Assessments lawfully recoverable, as the same shall be comprised in each Warrant to be received by him the said Collector from the said Guardians of the Poor of the — Union, within — Calendar Months from the date of the delivery of every such Warrant respectively which from time to time shall be delivered to him the said Collector, and pay the amount of the Rates collected by him to the Treasurer of the said Union, weekly, or oftener if required, and whenever the sum collected by him shall amount to Fifty Pounds; and shall from time to time, and at all times when required so to do, deliver to the Person or Persons authorized to require the same, true and perfect Accounts in writing, under his hand, of all Moneys which shall have been received by him by virtue of his said office of Collector of Poor Rates as aforesaid, and of all Moneys paid by him to the said Treasurer, together with the proper Vouchers for such payment, and shall verify his Account upon Oath, when thereunto lawfully required, and shall deliver to such Person or Persons as aforesaid, within — days after being thereunto required, all the Books, Papers, and Writings in his custody or power relating to the affairs of the said Union, and shall immediately thereupon pay such Moneys as upon the balance of any Account or Accounts shall appear to be in his hands, to the said Treasurer, and shall in all other respects duly, fully,

FORMS.

OFFICERS' BONDS.

No. 2.

For Collector
of Poor Rate,
where Cess
Collector
also.

and faithfully observe, obey, perform, fulfil, and keep all the Enactments, Laws, Rules, and Regulations contained in the Acts which are or shall be at any time in force for the relief of the Destitute Poor in Ireland, or in any Order of the said Commissioners, touching and concerning the collection of Poor Rates as aforesaid; and if the said A. B. do not and shall not commit or cause or suffer to be done or committed any act, matter, or thing whatsoever, whereby or by means whereof the said Guardians of the Poor of the — Union shall or may or can be wronged, defrauded, or prejudiced in respect to any of the Rates and Assessments aforesaid,—then the foregoing Bond and Obligation shall be void.

Signed, sealed, and delivered by the
above-bounden A.B., C.D., and
E.F., in presence of

A.B. (*Seal.*)
C.D. (*Seal.*)
E.F. (*Seal.*)

To — and —, Gentlemen, Attorneys of Her Majesty's Court of — in Ireland, or either of them, or to any other Attorney of the same Court, or to any Attorney of any other Her Majesty's Courts of Record in Ireland aforesaid, Great Britain, or elsewhere.

THESE are to authorize and appoint you, or either of you, to appear for us A. B., of —, C. D., of —, and E. F., of —, or any or either of us, for the whole, jointly and severally, and confess one or more Judgment or Judgments, as of last — Term, or of any Term or Time whatsoever, after the date of these Presents, with stay of Execution until breach shall be made in the performance of the Condition of the Bond hereunto annexed, and bearing equal date herewith, in the said Court of — in Ireland, or any other Her Majesty's Courts of Record in Ireland, Great Britain, or elsewhere, by acknowledging the Action, or otherwise, upon one or more Declaration or Declarations there to be filed against us, or any or either of us, by himself for the whole, at the suit of the Guardians of the Poor of the — Union, upon a Bond of — Sterling; and for your or any of your so doing, this shall be your sufficient Warrant and Discharge. AND KNOW ALL MEN BY THESE PRESENTS, that we the said A. B., C. D., and E. F., do hereby for us, and each and every of us, by himself for the whole, and our and each and every of our Heirs, Executors, Administrators, and Assigns, jointly and severally authorize you, or any of you, to remise, release, and for ever quit claim, unto the said Guardians of the Poor of — Union, all and all manner of error or errors, or misprision of error or errors, or erroneous proceedings whatsoever, that are or may be in or about the entering or obtaining the said Judgment or Judgments, or any other the proceedings thereupon.

Witness our Hands and Seals, this——day of ——, in the Year of Our Lord One Thousand Eight Hundred and ——.

Signed, sealed, and delivered }
in presence of }

A. B. (Seal.)
C. D. (Seal.)
E. F. (Seal.)

FORMS.
OFFICERS' BONDS.
No. 2.
Collector.

No. 3.—Bond Form III.—Bond for Collection of Poor Rates, by a Person who is not a Cess Collector.

No. 3.
For Collector of Poor Rate, where not Cess Collector also.

KNOW ALL MEN BY THESE PRESENTS, That WE, A. B., of ——, C. D., of ——, and E. F., of ——, are jointly and severally held and firmly bound to the GUARDIANS OF THE POOR of the —— Union, in the Sum of —, of good and lawful Money of the United Kingdom of Great Britain and Ireland, to be paid to the said Guardians of the Poor of the —— Union, or their certain Attorney, Successors, or Assigns, for which Payment to be well and faithfully made We bind ourselves jointly, and each of us bindeth himself severally, our and each and every of our Heirs, Executors, and Administrators, and every of them, firmly by these Presents, sealed with our Seals. Dated this —— day of ——, in the year of our Lord One Thousand Eight Hundred and ——.

WHEREAS the above-bounden A. B. hath been duly appointed Collector of Poor Rates within said Union. AND WHEREAS the said A. B. hath been required to enter into Security in a Bond with two Sureties to the said Guardians of the Poor of the —— Union, in the penalty hereinbefore-mentioned to be conditioned as hereinafter is set forth, and hath requested the above-bounden C. D. and E. F. to join with him as such Sureties in the above Bond, subject to the condition hereinafter contained, to which they have assented; and the said Guardians have agreed to accept of them as such Sureties accordingly.

NOW THE CONDITION of this Obligation is such, that if the above-bounden A. B. do and shall, from time to time, and at all times hereafter, whilst he shall be employed in the said office of Collector of Poor Rates as aforesaid, and until he shall be discharged therefrom by Order of the Commissioners for administering the Laws for Relief of the Poor in Ireland, or by and with their assent shall cease and discontinue to hold the said office of Collector, duly and faithfully execute and discharge all the duties of the said office, as prescribed by the said Commissioners, and collect the whole of the Rates and Assessments lawfully recoverable, as the same shall be comprised in each Warrant to be received by him the said Collector from the said Guardians of the Poor of the —— Union, within —— Calendar Months from the date of the delivery of every such Warrant respectively which

FORMS.

OFFICERS' BONDS.

No. 3.
For Collector
of Poor Rate,
where not
Cess Col-
lector also.

from time to time shall be delivered to him the said Collector, and pay the amount of the Rates collected by him to the Treasurer of the said Union, weekly, or oftener if required, and whenever the Sum collected by him shall amount to Fifty Pounds; and shall from time to time, and at all times when required so to do, deliver to the Person or Persons authorized to require the same, true and perfect Accounts in writing, under his hand, of all Moneys which shall have been received by him by virtue of his said office of Collector of Poor Rates as aforesaid, and of all Moneys paid by him to the said Treasurer, together with the proper Vouchers for such payment, and shall verify his Account upon Oath when thereunto lawfully required, and shall deliver to such Person or Persons as aforesaid, within — days after being thereunto required, all the Books, Papers, and Writings in his custody or power relating to the affairs of the said Union, and shall immediately thereupon pay such Moneys as upon the balance of any Account or Accounts shall appear to be in his hands to the said Treasurer, and shall in all other respects duly, fully, and faithfully observe, obey, perform, fulfil, and keep all the Enactments, Laws, Rules, and Regulations contained in the Acts which are or shall be at any time in force for the Relief of the Destitute Poor in Ireland, or in any Order of the said Commissioners, touching and concerning the Collection of Poor Rates as aforesaid; and if the said A. B. do not and shall not commit or cause or suffer to be done or committed any act, matter, or thing whatsoever, whereby or by means whereof the said Guardians of the Poor of the — Union shall or may or can be wronged, defrauded, or prejudiced in respect to any of the Rates and Assessments aforesaid,—then the foregoing Bond and Obligation shall be void.

Signed, sealed, and delivered by the
above-bounden A. B., C. D., and
E. F., in presence of

A. B. (Seal.)
C. D. (Seal.)
E. F. (Seal.)

To — and —, Gentlemen, Attorneys of Her Majesty's Court of — in Ireland, or either of them, or to any other Attorney of the same Court, or to any other Attorney of any other Her Majesty's Courts of Record in Ireland aforesaid, Great Britain, or elsewhere.

THESE are to authorize and appoint you, or either of you, to appear for us A. B., of —, C. D., of —, and E. F., of —, or any or either of us, for the whole, jointly and severally, and confess one or more Judgment or Judgments, as of last — Term, or of any Term or Time whatsoever after the date of these Presents, with stay of Execution until breach shall be made in the performance of the condition of the Bond hereunto annexed, and bearing equal date herewith, in the said Court of —

in Ireland, or any other Her Majesty's Courts of Record in Ireland, Great Britain, or elsewhere, by acknowledging the Action, or otherwise, upon one or more Declaration or Declarations. there to be filed against us, or any or either of us, by himself for the whole, at the suit of the Guardians of the Poor of the — Union, upon a Bond of — Sterling; and for your or any of your so doing, this shall be your sufficient Warrant and Discharge. AND KNOW ALL MEN BY THESE PRESENTS, that we the said A. B., C. D., and E. F., do hereby for us, and each and every of us, by himself for the whole, and our and each and every of our Heirs, Executors, Administrators, and Assigns, jointly and severally authorize you or any of you, to remise, release, and for ever quit claim, unto the said Guardians of the Poor of the — Union, all and all manner of error or errors, or misprision of error or errors, or erroneous proceedings whatsoever, that are or may be in or about the entering or obtaining the said Judgment or Judgments, or any other the proceedings thereupon.

Witness our Hands and Seals, this — day of —, in the Year of Our Lord One Thousand Eight Hundred and —.

Signed, sealed, and delivered }
in presence of }

A. B. (Seal.)
C. D. (Seal.)
E. F. (Seal.)

FORMS.

OFFICERS'
BONDS.

No. 3.

For Collector
of Poor Rate,
where not
Cess Col-
lector also.

No. 4.—Bond Form IV.—Bond for Relieving Officer.

No. 4.
Relieving
Officer's
Bond.

KNOW ALL MEN BY THESE PRESENTS, *That WE, A. B., of —, C. D., of —, and E. F., of —, are jointly and severally held and firmly bound to the GUARDIANS OF THE POOR of the — Union, in the Sum of —, of good and lawful Money of the United Kingdom of Great Britain and Ireland, to be paid to the said Guardians, or their certain Attorney, Successors, or Assigns, for which Payment to be well and faithfully made We bind ourselves jointly, and each of us bindeth himself severally, our and each and every of our Heirs, Executors, and Administrators, and every of them, firmly by these Presents, sealed with our Seals. Dated this — day of — in the year of our Lord One Thousand Eight Hundred and —.*

WHEREAS the above-bounden A. B. hath been duly appointed a Relieving Officer of the — Union, aforesaid, and hath been required to enter into a Bond with two Sureties to the said Guardians of the Poor of the — Union, in the penalty hereinbefore mentioned, to be conditioned as hereinafter is set forth, and hath requested the above-bounden C. D. and E. F. to join with him as such Sureties

FORMS.

OFFICERS'
BONDS.No. 4.
Relieving
Officer's
Bond.

in the above Bond, subject to the condition hereinafter contained, to which they have assented; and the said Guardians have agreed to accept of them as such Sureties accordingly.

NOW THE CONDITION of this Obligation is such, that if the above-bounden A. B. do and shall, from time to time, and at all times hereafter, whilst he shall be employed in the said Office of Relieving Officer of the said Union, and until he shall be discharged therefrom by order of the Commissioners for administering the Laws for Relief of the Poor in Ireland, or by and with their assent shall cease and discontinue to hold the said Office, duly and faithfully execute and discharge all the duties of the said office, as prescribed by the said Commissioners, and shall from time to time, and at all times when required so to do, deliver to the Person or Persons authorized to require the same, a full, just, and true Account of all Moneys, Provisions, and other Articles received and expended by him as such Relieving Officer, and shall verify such Account on Oath when thereunto lawfully required, and shall deliver to such Person or Persons when required so to do, all the Books, Papers, and Writings in his custody or power, relating to his said office or to the affairs of the said Union, and shall at all times, when required, pay such Moneys as upon the balance of any Account or Accounts shall appear to be in his hands, to the Treasurer of the said Union, and deliver all stocks of Provisions or other articles remaining in his hands to such Person or Persons as the said Guardians of the Poor of — Union shall authorize to receive the same, and shall in all other respects duly fulfil, and faithfully observe, obey, perform, fulfil, and keep all the Enactments, Laws, Rules, and Regulations contained in the Acts which are or shall be at any time in force for the Relief of the Destitute Poor in Ireland, or in any Order of the said Commissioners touching and concerning the office of Relieving Officer as aforesaid; and if the said A. B. shall not commit or cause or suffer to be done or committed any act, matter, or thing whatsoever, whereby or by means whereof the said Guardians of the Poor of the — Union shall or may or can be wronged, defrauded, or prejudiced, then the foregoing Bond and Obligation shall be void.

<i>Signed, sealed, and delivered by the</i>	A. B. (<i>Seal.</i>)
<i>above-bounden A. B., C. D., and</i>	C. D. (<i>Seal.</i>)
<i>E. F., in presence of</i>	E. F. (<i>Seal.</i>)

To — and —, Gentlemen, Attorneys of Her Majesty's Court of — in Ireland, or either of them, or to any other Attorney of the same Court, or to any Attorney of any other Her Majesty's Courts of Record in Ireland aforesaid, Great Britain, or elsewhere.

THESE are to authorize and appoint you, or either of you, to appear for us, A. B., of —, C. D., of —, and

E. F., of —, or any or either of us, for the whole, jointly and severally, and confess one or more Judgment or Judgments, as of last — Term, or of any Term or Time whatsoever after the date of these Presents, with stay of Execution until breach shall be made in the performance of the Condition of the Bond hereunto annexed, and bearing equal date herewith, in the said Court of — in Ireland, or any other Her Majesty's Courts of Record in Ireland, Great Britain, or elsewhere, by acknowledging the Action or otherwise, upon one or more Declaration or Declarations there to be filed against us, or any or either of us, by himself for the whole, at the suit of the Guardians of the Poor of the — Union, upon a Bond of — Sterling; and for your or any of your so doing this shall be your sufficient Warrant and Discharge. AND KNOW ALL MEN BY THESE PRESENTS, that we the said A. B., C. D., and E. F., do hereby for us, and each and every of us, by himself for the whole, and our and each and every of our Heirs, Executors, Administrators, and Assigns, jointly and severally, authorize you or any of you, to remise, release, and for ever quit claim, unto the said Guardians of the Poor of — Union, all and all manner of error or errors, or misprision of error or errors, or erroneous proceedings whatsoever, that are or may be in or about the entering or obtaining the said Judgment or Judgments or any other the proceedings the eupon.

Witness our Hands and Seals, this — day of —, in the year of Our Lord One Thousand Eight Hundred and —.

Signed, sealed, and delivered, }
in presence of }

A. B. (Seal.)

C. D. (Seal.)

E. F. (Seal.)

No. 5.—Bond Form V.—Agreement and Bond for Revising Valuator appointed by Board of Guardians.

No. 5.
Revising
Valuator's
Bond.

MEMORANDUM OF AN AGREEMENT by and between the Guardians of the Poor of the — Union, and A. B., of —, in the County of —, for a Revision and Correction of the Valuation of the several Hereditaments in the Electoral Divisions of the said Union, liable to be rated for Relief of the Destitute Poor under the provisions of an Act passed in the second year of the Reign of Her present Majesty Queen Victoria, intituled "An Act for the more effectual Relief of the Destitute Poor in Ireland," and of the several Acts amending the same.

(Particulars to be inserted here.)

AS WITNESS the seal of the said Guardians of the Poor of the Union, and the hand of the said A. B., this — day of — 18—.

A. B.

Seal of Guardians.

FORMS.

OFFICERS'
BONDS.

No. 4.
Relieving
Officer's
Bond.

FORMS.

(BOND.)

OFFICERS'
BONDS.No. 5.
Revising
Valuator's
Bond.

KNOW ALL MEN BY THESE PRESENTS, *That WE, A. B., of —, C. D., of —, and E. F., of —, are jointly and severally held and firmly bound to the GUARDIANS OF THE POOR of the — Union, in the Sum of —, of good and lawful Money of the United Kingdom of Great Britain and Ireland, to be paid to the said Guardians, or their Attorney, Successors, or Assigns, for which Payment to be well and faithfully made We bind ourselves jointly, and each of us bindeth himself severally, our and each and every of our Heirs, Executors, and Administrators, and every of them, firmly by these Presents, sealed with our Seals. Dated this — day of —, in the year of our Lord One Thousand Eight Hundred and —.*

WHEREAS the above-bounden A. B. hath been appointed to revise and correct the Valuation of Hereditaments in the several Electoral Divisions of the — Union, liable to be rated for Relief of the Destitute Poor in Ireland, in the manner and upon the terms mentioned and set forth in a certain Memorandum of Agreement, dated and hereunto annexed, and hath been required to enter into a Bond with two Sureties to the said Guardians of the Poor of the — Union, in the Penalty hereinbefore mentioned, to be conditioned as hereinafter is set forth, and hath requested the above-bounden C. D. and E. F. to join with him as such Sureties in the above Bond, subject to the condition hereinafter contained, to which they have assented; and the said Guardians have agreed to accept of them as such Sureties accordingly.

NOW THE CONDITION of this Obligation is such, that if the above-bounden A. B. do and shall duly and efficiently revise and correct the Valuation of the several Messuages, Lands, and other Hereditaments in the said Union liable to be rated under the Provisions of an Act passed in the Second Year of the Reign of Her present Majesty Queen Victoria, intituled “An Act for the more effectual Relief of the Destitute Poor in Ireland,” and of the several Acts amending the same, and in the manner specified in said Memorandum of Agreement, and do and shall complete the revision and correction of the said Valuation, on or before the — day of — 18—, and shall well and truly observe, perform, and fulfil in every respect the terms of his said Agreement with the said Guardians, then the foregoing Bond or Obligation shall be void.

*Signed, sealed, and delivered }
in presence of }*

A. B. (Seal.)
C. D. (Seal.)
E. F. (Seal.)

No. 6.—Bond Form VI.—Bond for any Officer of the Union, except the Clerk, a Collector of Rates, Relieving Officer, or Revising Valuator^a.

FORMS.
—
OFFICERS'
BONDS.
—

KNOW ALL MEN BY THESE PRESENTS, *That WE*, A. B., of —, C. D., of —, and E. F., of —, are jointly and severally held and firmly bound to the GUARDIANS OF THE POOR of the — Union, in the Sum of —, of good and lawful Money of the United Kingdom of Great Britain and Ireland, to be paid to the said Guardians of the Poor of the — Union, or their certain Attorney, Successors, or Assigns, for which Payment to be well and faithfully made We bind ourselves jointly and each of us bindeth himself severally, our and each and every of our Heirs, Executors, and Administrators, and every of them firmly by these Presents, sealed with our Seals. Dated this — day of —, in the year of our Lord One Thousand Eight Hundred and —.

No. 6.
Bond for
various Union
Officers.

WHEREAS the above-bounden A. B. hath been duly appointed* — of the — Union aforesaid, and hath been required to enter into a Bond with two Sureties, to the said Guardians of the Poor of the — Union, in the Penalty hereinbefore mentioned, to be conditioned as hereinafter is set forth; and hath requested the above-bounden C. D. and E. F. to join with him as such Sureties, in the above Bond, subject to the Condition hereinafter contained, to which they have assented; and the said Guardians have agreed to accept of them as such sureties accordingly.

* Master or
Matron of the
Workhouse,
&c., as the
case may be.

NOW THE CONDITION of this Obligation is such, that if the above-bounden A. B. do and shall from time to time, and at all times hereafter, whilst he shall be employed in the said Office of* — of the said Union, and until he shall be discharged therefrom by Order of the Commissioners for administering the Laws for Relief of the Poor in Ireland, or by and with their assent shall cease and discontinue to hold the said Office, duly and faithfully execute and discharge all the duties of the said office, as prescribed by the said Commissioners, and shall perform the same in person, except in case of absence in consequence of sickness or accident, or with the leave of the said Guardians; and if the above-bounden A. B. shall, when required so to do by the said Guardians, or by the said Commissioners, hand over or deliver up to the said Guardians, or to such person or persons as they may authorize to receive the same, all Books, Accounts,

^a See forms of Bonds for these Officers, in preceding pages: namely, for Clerk, No. 1, p. 983; for Collectors, No. 2, 3, p. 984, 987; for Relieving Officer, No. 4, p. 989; for Revising Valuator, No. 5, p. 991.

FORMS.

OFFICERS' BONDS.

No. 6.

Bond for various Union Officers.

Vouchers, Papers, and Writings which may have come into his custody as — of the said Union, or which may in any way appertain to the affairs of the said Union, or to the said Guardians; and if the above-bounden A. B. shall, while he holds the said office, diligently serve the said Guardians, fulfilling all their lawful orders, and conducting himself honestly in all respects in the transaction of any business either belonging to the said office of — of the said Union, or intrusted to him by the said Guardians, then the foregoing Bond or Obligation shall be void.

Signed, sealed, and delivered by the } A. B. (Seal.)
said A. B., C. D., and E. F., in } C. D. (Seal.)
presence of } E. F. (Seal.)

CONTRACTS.

CONTRACTS.

No. 7.—Tender to furnish Workhouse Supplies.

No. 7.
Tender for
Workhouse
Supplies.

To the Board of Guardians of the — Union.

GENTLEMEN, I [or WE] — —, of — —, do hereby propose to supply you, at the Price herein stated, with the Articles in the subjoined List opposite to which such price has been inserted. And [I or WE] will deliver at the Workhouse of the Union the quantities specified [or such quantities as may be specified in your orders] at such time or times as you may direct, [from — to —.] The Articles shall be in every respect according to your Advertisement, [and the samples submitted herewith.]

Article.		Quantity.		Price to be written in Words.
----------	--	-----------	--	-------------------------------

(List of Articles and Prices.)

I am [or We are],

Gentlemen,

Your Obedient Servant,

(Proposer) { of _____,

Dated this — day of — 18 .

GENTLEMEN,—Should you accept the above Proposal, we hereby engage to become bound with the above-named — in the Sum of £ — for the due performance of the several matters and things contained in this Tender.

Your Obedient Servants,

(Sureties) { of _____
 of _____

Dated this — day of — 18 .

To the Board of Guardians of the — Union.

No. 8.—Contract Form I.—Contract for specified Supplies:—to be furnished by a given Time.

FORMS.

CONTRACTS.

MEMORANDUM OF AGREEMENT, made the — day of —, One Thousand Eight Hundred and —, Between A. B., of —, of the one part, and the Guardians of the Poor of the — Union, of the other part.

No. 8,
Contract
for Supplies,
by a given
Time.

It is hereby agreed by and between the said Parties hereto, and the said A. B. [doth or do], in consideration of the payments to be made to A. B. as hereinafter mentioned, hereby contract with the said Guardians of the Poor of the — Union, that the said A. B. shall and will, on or before the — day of —, serve, supply, and deliver, or cause to be delivered, free of all expense, at —, in the said Union, the following goods, at and after the rates or prices following: that is to say (*insert particulars.*) And they, the said Guardians of the Poor of the — Union, do hereby agree, that in case the said A. B. shall well and truly serve, supply, and deliver the said Articles, upon the terms, in the manner, and at the time aforesaid, according to [his, her or their] said agreement, they, the said Guardians of the Poor of the — Union, shall and will well and truly pay or cause to be paid to the said A. B. the rates and prices aforesaid, for the Articles so served, supplied, and delivered, and of which a Bill of particulars shall be sent with such Articles at the time of the delivery thereof, within — days after such delivery. PROVIDED ALWAYS, and it is hereby expressly agreed, and particularly by and on the part of the said A. B. that in case such Articles shall not be duly served, supplied, and delivered by [him, her, or them] or when delivered shall not in every respect be of the quality and sort contracted for, and in exact conformity with the patterns or samples exhibited by the said Guardians, or shall be deficient in the weight, size, measure, or quantity, stated and charged for in such Bill of particulars, with such Articles, or if the same shall be delivered without such Bill of particulars, they the said Guardians, or their Clerk, or other Officer authorized by them, shall be at liberty to return the same at the expense of the said A. B. or give notice for the same to be sent for and fetched away by [him, her, or them]. And that in every such case it shall be lawful for the said Guardians, or their Clerk or other Officer authorized by them, to purchase a fresh supply of such Articles, or employ any other person or persons to furnish a fresh supply of such Articles in the place of the said A. B. And that in such case the said A. B., [his, her, or their] Executors and Administrators, shall bear and make good all charges and expenses of such Articles so to be provided, over and above the price at which the same are hereinbefore contracted to be served, supplied, and delivered by the said A. B.

AND ALSO that it shall be lawful for the said Guardians

FORMS.
 —
 CONTRACTS.
 —
 No. 8.
 Contract
 for Supplies,
 by a given
 Time.

of the Poor of the — Union to retain and apply any sum of money which may be due to the said A. B., under and by virtue of this Agreement, at the time of any failure in the performance hereof, to the payment of such charges and expenses, as the said Guardians may incur or be put to by reason thereof. And that, notwithstanding the Agreement hereinbefore contained for making good the Articles which shall not be served, supplied, and delivered according to the terms, and in the manner hereinbefore agreed on, and in pursuance of this Contract, it shall be lawful for the said Guardians of the Poor of the — Union, to put in suit the Bond to be given for the performance of this Contract, of even date herewith, against the said A. B. and [his, her, or their] Sureties, their and each of their Executors or Administrators. PROVIDED ALSO, and it is hereby agreed, that if the said Guardians, with the consent or by direction of the Commissioners for administering the Laws for Relief of the Poor in Ireland, shall at any time during the term of the said Contract, be desirous to put an end to the same, and shall give — days' notice thereof in writing to the said A. B. or leave such notice at [his, her, or their] usual place of abode or of carrying on business, or if in consequence of any rule, order, or regulation of the said Commissioners which may come into effect during the period of such Contract and may affect the performance of the same, the said A. B. shall be desirous to put an end to the same, and shall give — days' notice thereof, in writing, to the said Guardians or their Clerk, then this present Contract or Agreement shall thereupon in all respects cease and determine, any thing herein contained to the contrary thereof in anywise notwithstanding.

As WITNESS the seal of the said Guardians of the Poor of the — Union, and the hand of the said A. B., the day and year first hereinbefore written.

— (Seal.)
 — (Seal.)

KNOW ALL MEN BY THESE PRESENTS, That WE, A. B., of —, C. D., of —, and E. F., of —, are jointly and severally held and firmly bound to the GUARDIANS OF THE POOR of the — Union, in the Sum of —, of good and lawful Money of the United Kingdom of Great Britain and Ireland, to be paid to the said Guardians of the Poor, or their certain Attorney, Successors, or Assigns, for which Payment to be well and faithfully made We bind ourselves jointly, and each of us bindeth himself severally, our and each and every of our Heirs, Executors, and Administrators, and every of them, firmly by these presents, sealed with our Seals. Dated this — day of —, in the year of Our Lord One Thousand Eight Hundred and —

WHEREAS, by a certain Contract or Agreement bearing even date with this Obligation, and contained on the [two first sides of this sheet,] and made between the above-bounden A. B. of the one part, and the above named Guardians of the Poor of the — Union, of the other part, the said A. B. ha— contracted with the said Guardians of the Poor of — Union aforesaid to serve, supply, and deliver, free of all expense, at — in the said Union, on or before the — day of — (such Contract nevertheless to be determinable as in the said Contract or Agreement is mentioned), the several Articles therein specified, of such quality, at such time, and after the rate and price, and subject to the terms, provisions, and stipulations, as in the said Contract or Agreement are particularly mentioned and set forth, and as on reference thereto will more fully appear.

NOW THE CONDITION of this Obligation is such, that if the above-bounden A. B. [his, her, or their] Executors or Administrators, do and shall well and truly perform, fulfil, and keep all and every the covenants, clauses, provisoes, terms, and stipulations in the said recited Contract or Agreement mentioned or contained, and on [his or her] and their part to be observed, performed, fulfilled, and kept according to the true purport, intent, and meaning thereof, then this Bond or Obligation shall be void, or else shall be and remain in full force and virtue.

<i>Signed, sealed and delivered by the</i>	A. B. (<i>Seal.</i>)
<i>above-bounden A. B., C. D.,</i>	C. D. (<i>Seal.</i>)
<i>and E. F., in presence of</i>	E. F. (<i>Seal.</i>)

FORMS.
—
CONTRACTS.
—
No. 8.
Contract
for Supplies,
by a given
Time.

No. 9.—Contract Form II.—Contract for Supplies to be furnished from Time to Time, as required for a Year or any other given period.

Contract
for current
Supplies, for
a given
Term.

[The following amended Form of Contract for Workhouse Supplies was issued by the Poor Law Commissioners, in a Circular dated 14th May, 1851, from which the following is an extract:—

“Considerable inconvenience and loss having been suffered in several Unions, in consequence of the Contractors for the supply of Milk to the Workhouses of such Unions failing to supply the quantities of Milk required for consumption in the Workhouses, particularly during the winter season, when new Contracts cannot always be obtained and supplies are not available for purchase; in consequence of which, substitutes have to be provided, and the Contractors, under the form of Contract now in use, are not subject to the expenses so incurred, being chargeable only with the cost of the same articles as contracted for, beyond the price set forth in the Contract:

“The Commissioners, with a view of obviating as far as possible such inconvenience and loss, have had prepared a new form of Contract for Workhouse Supplies, into

FORMS.
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 for current
 Supplies, for
 a given
 Term.

which there has been introduced a Covenant enabling the Guardians to charge to the Contractor failing to supply the necessary quantity of any article or articles contracted for, the cost of any substitute for such article or articles which the Guardians may be obliged to resort to, to make good the deficiency; and the Commissioners recommend that the new form may be used in future.”]

FORM OF CONTRACT (No. 2) referred to in foregoing Circular :—

Contract for Supplies to be delivered from the
 — day of — to the — day of —

MEMORANDUM OF AGREEMENT. made the — day of
 —, One Thousand Eight Hundred and —,
 between — of the one part, and the Guardians
 of the Poor of the — Union, of the other part.

It is hereby agreed by and between the said parties hereto; and the said — do, in consideration of the Payments to be made to — as hereinafter mentioned, hereby contract with the Guardians of the Poor of the — Union, that — the said — shall and will, from the — day of — until the — day of — next inclusive, serve, supply, and deliver, or cause to be delivered, free of all expense, at — in the said Union, at such times, and in such manner as the said Guardians, or their Clerk, or other Officer of the said Union duly authorized by them, shall from time to time direct, such quantities of — as shall from time to time be required by the said Guardians, at and after the rates or prices following; that is to say,* —. And they the said Guardians of the Poor of the — Union aforesaid, do hereby agree, that in case the said — shall well and truly serve, supply, and deliver the Articles aforesaid, upon the terms and in manner aforesaid, according to — said agreement, they, the said Guardians of the Poor of the — Union, shall and will well and truly pay or cause to be paid to the said — within — days after each and every such delivery during said term, at the rates and prices aforesaid, for such quantity of the said Articles as shall have been ordered, served, supplied, and delivered, during said period of —, and of which a Bill of particulars shall have been sent at the time of the delivery of said articles. Provided always, and it is hereby expressly agreed, and particularly by and on the part of the said —, that in case such articles shall not be duly served, supplied, and delivered by — when and as directed by the said Guardians, or their Clerk, or other Officer duly authorized by them, or when delivered shall not in every respect be of the quality and sort contracted for, or shall be deficient in the weight, size, measure, or quantity, stated and charged for in such Bill of particulars, or if the same shall be delivered without such Bill of particulars, they, the said Guardians, or their

* Here insert particulars of articles and prices.

Clerk, or other Officer so authorized by them, shall be at liberty to return the same at the expense of the said Contractor, or give notice for the same to be sent for and fetched away by —; And that in every such case it shall be lawful for the said Guardians, or their Clerk, or other Officer so authorized by them as aforesaid, to purchase a fresh supply of such Articles, or of such other Articles in lieu thereof, as the said Guardians, or their Clerk, or other Officer so authorized as aforesaid, shall think fit, or to employ any other person or persons to furnish a fresh supply of such first-mentioned Articles or of such other Articles in lieu thereof, as aforesaid, in such a manner as may be required during the period of the said Contract, or any part of such period, in the place of the said —. And it is hereby further agreed that in case such first-mentioned Articles shall not be duly served, supplied, and delivered in such quantities as shall from time to time be required by the said Guardians, then, in every such case, and as often as it shall so happen, it shall be lawful for said Guardians, or their Clerk, or other Officer so authorized as aforesaid, to purchase from any other person or persons other than — such a supply of the said first-mentioned Articles, as shall be necessary to complete the quantity required, or to purchase and provide such quantity or quantities of any other Article or Articles, directed by the said Guardians to be used instead of the said first-mentioned Articles, as shall be considered necessary by the said Guardians, to supply such deficiency; and that in any and every of such cases the said —, his Executors and Administrators, shall bear and make good all charges and expenses of such articles so to be provided, over and above the price at which such first-mentioned Articles are hereinbefore contracted to be supplied and delivered by the said —.

And also that it shall be lawful for the said Guardians of the Poor of the — Union, to retain and apply any sum of money which may be due to the said — under and by virtue of this Agreement, at the time of any failure in the performance hereof, to the payment of such charges and expenses, as the said Guardians may incur or be put to by reason thereof. And that, notwithstanding the Agreement hereinbefore contained for making good the Articles which shall not be served, supplied, and delivered according to the terms hereinbefore agreed on and in pursuance of this Contract, it shall be lawful for the said Guardians of the Poor of the — Union, to put in suit the Bond to be given for the performance of this Contract, of even date herewith, against the said — and — Sureties, their and each of their Executors or Administrators. Provided also, and it is hereby agreed, that if the said Guardians, with the consent or by direction of the Commissioners for administering the Laws for Relief of the Poor in Ireland, shall at any time during the term of the said Contract, be desirous to put an end to

FORMS.

CONTRACTS.

Contract
for current
Supplies, for
a given
Term.

FORMS.
 —
 CONTRACTS.
 —
 Contract
 for current
 Supplies, for
 a given
 Term.

the same, and shall give — days' notice thereof in writing to the said —, or leave such notice at — usual place of abode, or of carrying on business, or if in consequence of any rule, order, or regulation of the said Commissioners, which may come into effect during the period of such Contract and may affect the performance of the same, the said — shall be desirous to put an end to the same, and shall give — days' notice thereof, in writing, to the said Guardians or their Clerk, then this present Contract or Agreement shall thereupon in all respects cease and determine, any thing herein contained to the contrary thereof in any wise notwithstanding.

AS WITNESS the seal of the said Guardians of the Poor of the — Union, and the hand of the said —, the day and year first hereinbefore written.

(Seal of Guardians.)

(Signature of Contractor.)

[Bond.]

KNOW ALL MEN BY THESE PRESENTS, *That We, —, are jointly and severally held and firmly bound to the GUARDIANS OF THE POOR of the — Union, in the Sum of —, of good and lawful Money of the United Kingdom of Great Britain and Ireland, to be paid to the said Guardians of the Poor of the — Union, or their certain Attorney, Successors, or Assigns, for which Payment to be well and faithfully made, we bind ourselves jointly, and each of us bindeth himself severally, our and each and every of our Heirs, Executors, and Administrators, and every of them, firmly by these Presents. Sealed with our Seals. Dated this — day of —, in the year of our Lord One Thousand Eight Hundred and —.*

WHEREAS, by a certain Contract or Agreement, bearing even date with this Obligation, and contained on the [two first sides of this sheet,] and made between the above-bounden — of the one part, and the above-named Guardians of the Poor of the — Union, of the other part, the said — hath contracted with the said Guardians of the Poor of the — Union aforesaid, to serve, supply, and deliver, free of all expense, at — in the said Union, from the — day of — to the — day of — then next inclusive, (determinable nevertheless as in the said Contract or Agreement is mentioned) such quantity of the several Articles therein specified as shall be required, of such quality, at such times, and after the rate and price, and subject to the terms, provisions, and stipulations, as in the said Contract or Agreement are particularly mentioned and set forth, and as on reference thereto will more fully appear.

Now the Condition of this Obligation is such, that if the above-bounden —, — Executors or Administrators, do and shall well and truly perform, fulfil, and keep all and every the covenants, clauses, provisoes, terms, and

stipulations, in the said recited Contract or Agreement mentioned or contained, and on — and their part to be observed, performed, fulfilled, and kept, according to the true purport, intent, and meaning thereof, then this Bond or Obligation shall be void, or else shall be and remain in full force and virtue.

Signed, sealed, and delivered by } (Seal.)
the above-bounden —, in } (Seal.)
presence of —. } (Seal.)

FORMS.
 —
 CONTRACTS.
 —
 Contract for current Supplies, for a given Term.

No. 10.—General Warrant by a Board of Guardians to a Collector to collect and levy Poor Rates.

RATES :
 COLLECTING
 WARRANT.

1 & 2 Vic., c. 56.

Union.

To Mr. —, Collector of Poor Rates for — Division of the above Union.

No. 10.
 Guardians' Warrant to Collector for collection of Poor Rates.

— Union. { You are hereby authorized and directed to levy the several Poor Rates and Arrears of Poor Rates in the annexed Book^a set forth, from the several Persons therein rated, or other Persons liable to pay the said Rates and Arrears of Rates, by all such Ways and Means as by Law you are empowered to use in the levying of the said Rates.

By the Guardians of the Poor of the above-named Union, at a Meeting of the Board, held at — on the — day of —, One Thousand Eight Hundred and —

—, *Chairman of the Meeting.* (The Seal of the Union to be here affixed^c.)
 (Signing on behalf of the Majority. ^b)
 — } *Guardians present.*
 — }
 —, *Clerk of the Union.*

No. 11.—Notice to pay Poor Rate to be served by the Rate Collector (or by a Person authorized by him to serve the same) on a Rate-payer, six days before *summoning him as a defaulter before a Magistrate* for Non-payment of Poor Rate.^d

No. 11.
 Collector's Notice requiring payment of Poor Rate.

1 & 2 Vic., c. 56, s. 73 (Irish Poor Relief Act,) and 6 & 7 Wm. IV., c. 116, s. 152 (Grand Jury Act).

Electoral Division of —. *No. in Collecting Book —.*

Pursuant to the Power and Authority vested in me by the Acts 6 and 7 Wm. IV., c. 116, and 1 & 2 Vic.

^a Namely, the Collecting Book, to which this Warrant is to be prefixed : see Accounts Order, in Part II. 4, Form 26 (p. 731).

^b Where Paid Officers are acting *vice* Guardians, the Form of execution of the Warrant must be altered according to the circumstances of the case. ^c Under § 73 of 1 & 2 Vic. c. 56 (p. 56.)

^d Forms of Notices in case of an Immediate Lessor, or of an Occupier proceeded against in lieu of the Immediate Lessor where the latter leaves the rate due from him unpaid,—No. 15 (p. 1004). No. 16 (p. 1006).

FORMS.

RATES.

No. 11.
Collector's
Notice
requiring
payment of
Poor Rate.

* This date
should be
that of the
day of service
of the No-
tice; § 152 of
6 & 7 Wm. 4,
c. 116.

c. 56, as Collector of Poor Rates within the — Union, I do hereby require Payment from you within Six Days from the Date of this Notice, of the sum of —, being the Amount of Poor Rate duly assessed upon you in respect of your Rateable Hereditaments within the afore-said Union, in my Collection. And I hereby give you Notice, that the same may be paid to me within such Six Days, at my House or Office, situated at —, in the County of —; and in the event of your default in payment of the same, further Proceedings will be forth-with instituted against you for the Amount, together with all reasonable Costs and Charges attendant on such default. Given under my hand, this* — day of —, in the Year of Our Lord One Thousand Eight Hundred and —.

Collector of Poor Rate,

Place of Abode.

To

NOTE.—The above Notice should be left at the dwelling-house of the party rated, and the Collector or person serving the Notice should be careful to keep a duplicate of the Notice, with a memorandum of the service, in order that he may be enabled to prove, if necessary, that service was duly made. The duplicate might be marked, after service, as follows:—

“Copy of Notice served on —, at —, on — day, the —th day of — 18—, by (Signature).”

No. 12.
Summons for
Non-pay-
ment of
Rate.

No. 12.—Summons for Non-payment of Rate.

1 & 2 Vic., c. 56, s. 73 (Irish Poor Relief Act): and
6 & 7 Wm. IV., c. 116, s. 152 (Grand Jury Act).

County of —,
Union of —,
to wit.

You are hereby required, personally, to appear before me, —, and any other of Her Majesty's Justices of the Peace for the said County of —, at — in the said County, on the — day of — 18—, at the hour of — o'clock in the —noon of the same day, to answer the complaint of —, duly appointed Collector of Poor Rates by the Guardians of the Poor of the Union of —, who charges you with not having paid at his House or Office the sum of — for a Poor Rate made the — day of — 18—, Notice having been given you to pay said Poor Rate within six days from the — day of — 18—, and which Rate is still unpaid. Herein fail not at your peril.

Given under my hand at — this — day of — 18—.

—, { A Justice of the Peace
for the County.

To — in the Townland of — in the
County of — and Union of —.

DIRECTIONS FOR SERVICE.

This Summons should be served on the person to whom it is directed, either by delivery to him wherever he may be found,

or by delivery at his place of abode to his wife or to any one of his children or servants who is of the age of sixteen years or upwards.

A duplicate or copy of the Summons should be retained, and on it should be endorsed a memorandum of the fact and date of the service, signed by the party serving. The following form may be filled up for that purpose :—

“ — Day of — 18—.

“I delivered a duplicate of this Summons [*or, the Summons of which this is a true copy*] to the person to whom it is directed [*or, at the house of the person to whom it is directed, situate at — to — his wife, or otherwise, as the case may be*].

“(Signature.)”

No. 13.—Justice's Order for Payment of Poor Rate.

1 & 2 Vic., c. 56, s. 73 (Irish Poor Relief Act); and
6 & 7 Wm. IV., c. 116, s. 152 (Grand Jury Act).

No. 13.
Justice's Or-
der for Pay-
ment of Poor
Rate.

County of —,
to wit. } Be it remembered, That on the —
day of — in the year of our Lord
One Thousand Eight Hundred and
—, at —, in said County, —, of —, in said County.
Collector of Poor Rate, preferred before me, —, one of
Her Majesty's Justices of the Peace in and for the said
County, a complaint that — of —, in said County, is
fairly and justly indebted to him, as such Collector, in the
sum of — sterling, the amount of Poor Rate due by the
said — out of his holding in — in the said County,
according to a Rate struck and made on the — day of —
18—, at the rate of — pence in the pound sterling; and
whereas the said — was thereupon duly summoned to
answer said complaint, and the said — hath accordingly
appeared before me pursuant to the said summons, and
upon the oath of the said — a credible witness, it
appears to me that the said sum is justly and fairly due
and owing, I do therefore adjudge that the said — is
fairly indebted to him the said —, as such Collector, in
the sum of — sterling, Poor Rate as aforesaid, and do
hereby direct that the said — shall forthwith pay to the
said — the said sum of — together with the sum of
— as and for the reasonable costs and charges of the
said — in this behalf.

Given under my Hand and Seal the day and year
aforesaid.

Justice of the Peace (Seal).

FORMS.
RATES.No. 14.
Justice's
Warrant of
Distress for
Non-pay-
ment of Poor
Rate.

No. 14.—Justice's Warrant of Distress for Non-payment of Poor Rate.

1 & 2 Vic., c. 56, s. 73 (Irish Poor Relief Act,) and 6 & 7 Wm. IV., c. 116, s. 152 (Grand Jury Act).

[Pursuant to an Act of Parliament passed in the second year of the reign of Queen Victoria, intituled "An Act for the more effectual Relief of the Destitute Poor in Ireland."]

To — Collector of Poor Rate,
in the County of —County of —,
to wit.

Whereas by an Order made on the — day of —, in the Year of our Lord — One Thousand Eight Hundred and —, by —, one of Her Majesty's Justices of the Peace for the County of —, — of —, in the said County, was adjudged to be fairly indebted to you —, Collector of Poor Rate in the said County, in the sum of —, for Poor Rate due by him the said — to you the said — as such Collector, and the said — was accordingly directed by me to pay to you the said sum, together with the sum of — as Costs. And whereas the said — hath neglected or refused forthwith to pay the said sums, or either of them, pursuant to said direction; now I — [the Justice aforesaid, or one of the Justices of the Peace for the said County, *as the case may be*], do by this my Warrant authorize and empower you the said Collector to distrain the goods and chattels of — wherever they may be found in the said County of —, for the said sums of — and — amounting together to the sum of —, and thereout raise the said sum and the reasonable Charges of such Distress and Sale; and the overplus (if any) you shall return to the said — on demand; and within — days from the date hereof you shall make a Return to us of what you shall have done by virtue of this Warrant.

Given under my Hand and Seal, the day and year aforesaid.

Justice of the Peace (Seal).No. 15.
Notice to
Immediate
Lessor to pay
Rate.

No. 15.—Collector's Notice to an Immediate Lessor rated in accordance with 6 & 7 Vic., c. 92, requiring Payment of Rate.

Pursuant to the Act 6 & 7 Vic., c. 92, s. 2.

1 Or Madam,
or otherwise,
as may be.2 Or Rates,
as the case
may be.SIR¹—Pursuant to the Act of Parliament passed in the Session held in the 6th and 7th years of the reign of Queen Victoria, intituled "An Act for the further Amendment of an Act for the more effectual Relief of the Destitute Poor in Ireland," the Rate² specified in the

⁷ House or office.

(Signed)

Place of abode.

To⁸

⁸ Insert
name and
address of
Lessor.

THE SCHEDULE TO WHICH THE FOREGOING NOTICE REFERS.

[illegible]

Collector.

"Copy of Notice served on — at — on — the — day
of — 18—, by — (Signature)."

FORMS.

RATES.

No. 16.
Guardians'
Notice to
Occupier to
pay Rate
made on
Immediate
Lessor, who
due four
months.

¹ Or Rates
as the case
may be.

² Has or have
³ Or Lessors,
in case of
Joint Les-
sors, as may
be.

⁴ Insert sum due.

⁵ Insert Collector's Name.

6 House or
office.

⁷ Insert
name of Oc-
cupier or
Occupiers :
⁸ And
Address.

No. 16.—Notice of Guardians to Occupiers of Tenements in respect of which the Immediate Lessor is rated under 6 & 7 Vic., c. 92, the Immediate Lessor not having paid the Rate, and Four Months having elapsed.

Pursuant to the Act 6 & 7 Vict., c. 92, s. 3.

Pursuant to the Act of Parliament passed in the Session held in the sixth and seventh years of the reign of Queen Victoria, intituled "An Act for the further Amendment of an Act for the more effectual Relief of the Destitute Poor in Ireland," a Rate¹, particulars whereof are specified in the Schedule hereunto annexed, ha² — been made for the relief of the Destitute Poor of the — Union, on the Immediate Lessor³ of the rateable hereditament in the said Schedule described, which hereditament is now occupied by you and situate within said Union; and whereas the said Rate¹ ha² not been paid within four calendar months after the making of such Rate¹; and inasmuch as there is now due and owing in respect of said Rate¹, the sum of⁴ — as set forth in said Schedule, — Take notice, that we, the Guardians of the Poor of the said Union, pursuant to the Statute in such case made and provided, require you to pay the said Rate¹, amounting to the sum of⁴ — being the Rate¹ due in respect of the above property in your occupation, within one calendar month from the date of this notice. And further take notice, that within one calendar month from the date of this Notice, the said sum of⁴ — above demanded, may be paid to⁵ — the Collector of the said Rate at his⁶ — situate at —.

Dated this — day of — 18—.

Chairman.
Guardian.
Guardian.
Clerk of Union.

To? _____

Occupier of^B _____

THE SCHEDULE TO WHICH THE FOREGOING NOTICE REFERS.

[illegible]

NOTE.—This is to be signed by the Chairman of the Meeting

on behalf of the majority, and by two other Guardians present, and by the Clerk of the Union.

The Notice should be delivered to the party to whom it is directed; or, if delivered at his place of abode, to his wife or any child or servant of the party, aged sixteen years or upwards, the service will be sufficient.

Separate Notices should be served in respect of properties separately rated. A counterpart should be retained, with a memorandum of the service, as in the preceding case: (see note at foot of form No. 15, p. 1005.)

FORMS.

RATES.

No. 16.
Guardians'
Notice to
Occupier, &c.

No. 17.—Civil Bill for Rate—Summons.

1 & 2 Vic., c. 56, s. 78.

No. 17.
Civil Bill for
Rate—Sum-
mons.

County of —, } By the Assistant Barrister for the
Division of —, } County named in the margin, at the
to wit. } Sessions held for the said County.

The Guardians of the Poor of } The Defendant is here-
the — Union, Plaintiffs; and } by required personally to
—, of —, in the County } appear before the said
of —, Defendant. } Assistant Barrister at —,

on the — day of —, to answer the Plaintiff's Bill in an action for the sum of — pounds — shillings and — pence, for a Poor Rate made the — day of — 18—, in respect of the premises situate at — in the county named in the margin, and now in the occupation of the defendant, who is also resident at — in the said county, and which Rate is still unpaid; or in default thereof, the said Assistant Barrister will proceed as to justice shall appertain.

Dated this — day of — 18—.

Signed on behalf of the Plaintiffs,

NOTE.—As to service of Process in Civil Bill cases, see provisions of Civil Bills Act of 1851, 14 & 15 Vic. c. 57 (p. 322 *et seq.*); and see § 30 of 12 & 13 Vic. c. 104, in case of Civil Bill Process against an Immediate Lessor, (p. 206).

No. 18.—Civil Bill for Rate—Decree.

1 & 2 Vic., c. 56, s. 78.

No. 18.
Civil Bill for
Rate—
Decree.

No. } By the Assistant Barrister for the
County of —, } County named in the margin, at the
Division of —, } Sessions of the Peace held for the said
County. }

The Guardians of the Poor of } It appearing to the Court
the — Union, Plaintiffs; } that process to appear at
—, } this present Sessions was
Defendant. } duly served on the Defend-

ant —, and that the Defendant is resident at — in the said county, and is justly indebted to the Plaintiffs in the sum of — pounds — shillings and — pence, for a Poor Rate made the — day of — 18—, a period of two months having elapsed since the making of the said Rate and the service of the said Process, for the

FORMS.

RATES.

No. 18.

Civil Bill for
Rate—
Decree.

premises situate at — in the said county named in the margin, now in the occupation of the said Defendant, and which Rate is still unpaid :—

It is therefore ordered and decreed by the Court, that the Plaintiffs do recover from the Defendant — the said sum, together with — shillings and — pence costs incurred by the neglect to pay the said Rate.

And the several sheriffs of the counties and cities in Ireland are hereby commanded, notwithstanding any liberty within their bailiwicks, to enter the same, and take in execution the — of the Defendant — to satisfy the said debts and costs.

Dated at — this — day of — One Thousand Eight Hundred and —.

Debt, £	_____	<i>Attorney for the</i>
Interest, .	_____	<i>Plaintiffs.</i>
Costs, .	_____	<i>Clerk of the Peace for</i>
		<i>the said County.</i>
Total, £	_____	<i>Assistant Barrister for</i>
		<i>the said County.</i>

Assistant
Barrister's
Warrant.

Assistant Barrister's Warrant.

1 & 2 Vict., c. 56, s. 78.

County of —, } I authorize and empower A. B. of
Division of —, } —, one of the bailiffs of this county,
to wit. } and his associates, to execute the
above Decree.

Given under my Hand and Seal this — day of —
One Thousand Eight Hundred and —.

(Seal.)

*Assistant Barrister of
the said County.*

Bailiff's War-
rant.

Bailiff's Warrant.

County of —, } I authorize and empower —, of
to wit. } —, and —, of —, or either of them,
and their assistants, special Bailiffs, at the Plaintiff's
peril to execute the above Decree.

Given under my Hand and Seal this — day of —
One Thousand Eight Hundred and —.

(Seal.)

Sheriff of the said County.

No. 19.
Civil Bill for
Rate—Oath
of Debt on
unsatisfied
Decree.

No. 19.—Civil Bill for Rate—Oath of Debt on unsatisfied Decree.

1 & 2 Vic., c. 56, s. 78.

No. } I —, Clerk to the Guardians of the
County of —, } Poor of the — Union — the —
Division of —, } one of the parties in a cause in which
the annexed — was pronounced, and

the sum of — thereby ordered to be recovered, and in which cause the Guardians of the Poor of the said Union were Plaintiffs, and — of — Defendant, do swear that there is still remaining due and unpaid of the said sum so ordered to be recovered the sum of — after all just allowances, as I verily believe.

Sworn before me in open Court this — day of —

Assistant Barrister for the
said County.

Clerk of Guardians.

No. 20.—Civil Bill for Rate—Renewal.

1 & 2 Vic., c. 56, s. 78.

No. —
County of —,
Division of —,

By the Assistant Barrister for the county named in the margin, at a Sessions of the Peace held for — in the said County.

The Guardians of the Poor of
the — Union, Plaintiffs;
—, Defendant.

Oath being made in open court that there remains still due by the annexed —, the sum of —, It is therefore ordered and decreed by the court, that the same be, and the same is hereby renewed for the said sum, together with the sum of — costs of this renewal; and that the — shall have and recover from the — the same; and the several sheriffs of the counties and cities in Ireland are hereby required, notwithstanding any liberties within their bailiwicks, to enter the same and take in execution the — to satisfy and pay the said sum and costs.

Dated at — this — day of — One Thousand Eight Hundred and —.

Clerk of the Peace for the said County.

Attorney for the

Assistant Barrister for the said County.

Bailiff's Warrant.

County of —,
to wit.

I authorize and empower — of — and — of — or either of them, and their Assistants, special Bailiffs, at the — peril to execute the above renewal.

Given under my hand and Seal this — day of — One Thousand Eight Hundred and —.

(Seal.)

Sheriff of the said County.

No. 21.—Appeal against Rate:—Form of Recognizance.

1 & 2 Vic., cap. 56, s. 106; and 12 & 13 Vic., c. 104, s. 23.

No. — } — Plaintiff.
County of —, } — Defendant.
— of — in the County of — acknowledge —

FORMS.

RATES.

No. 19.

No. 20.
Civil Bill for
Rate—Re-
newal.

No. 21.
Appeal
against Rate;
Form of Re-
cognizance.

FORMS.

RATES.

No. 21.

to be indebted to the — in the Sum of — of — and — of — acknowledge themselves to be jointly and severally indebted to the — in the sum of —

The condition of the foregoing Recognizance is such, that if the — do prosecute — Appeal to the — in this Cause, at the — for the — [*Sessions of the Peace to which the Appeal is made,*] and pay such — Costs as shall be awarded against the said —, then the above Recognizance to be void, otherwise to remain in full force and virtue.

— Clerk of the Peace for the said County.

Taken and acknowledged before me this

— Day of — 18—

— J. P. for the said County.

No. 22.
Oath of
Appeal being
bonâ fide.

No. 22.—Oath of Appeal being bonâ fide.

1 & 2 Vic., Cap. 56, Sec. 106.

No. —

County of —

Division of —

— Plaintiff.

— Defendant.

—, Attorney for the — in this Cause, maketh Oath, that he believes that the Appeal intended to be lodged in this Cause is not made or to be made for the Purpose of Delay, but that there is, as he believes, probable Cause for reversing the — made in this Cause.

Sworn before me this — day of — 18—

— for the said County.

No. 23.
Order on
Appeal in
favour of
Appellant.

No. 23.—Order on Appeal in favour of Appellant.

1 & 2 Vic., Cap. 56, Sec. 107, 108.

County of —

Division of —

—, of —, Appellant:

The Guardians of the
above-named Union,
Respondents.

Union.

BY the Assistant Barrister and Justices for the County named in the Margin at the Sessions of the Peace held for the said County

Upon the hearing of this Appeal from a Rate made under

the Act of Parliament passed in the Second Year of the Reign of Queen Victoria, intituled "An Act for the more effectual Relief of the Destitute Poor in Ireland," for the Relief of the Poor in the above-named Union, and charged on the Appellant, for — ending — the Court doth order the Name of the Appellant to be struck out of the said Rate [*or that the sum rated on the said Appellant in the said Rate shall be lowered to the sum of —*]. And it having been shown to the Court that the Appellant hath already paid [*or overpaid*] the sum of — in consequence of such Rate, which he ought not to have been charged with, the Court doth

* The excess.

further order, that the said last-mentioned Sum shall be repaid by the Respondents to the Appellant, together with the Sum of — for the reasonable Costs, Charges, and Expenses occasioned by the Appellant having been required to pay the said Rate.

Dated at — this — Day of — One
Thousand Eight Hundred and —

— Assistant Barrister of the said County.

FORMS.

RATES.

No. 23.

No. 24.—Requisition that Lessor may be rated
in Poor Rate in lieu of Occupier^a.

1 & 2 Vic., Cap. 56, Sec. 72.

6 & 7 Vic., Cap. 92, Sec. 5.

No. 24.
Requisition
for Rating
of Lessor.

[Pursuant to an Act of Parliament passed in the Second Year of the Reign of Queen Victoria, intituled “An Act for the more effectual Relief of the Destitute Poor in Ireland;” and an Act passed in the Seventh Year of the Reign of Queen Victoria, intituled “An Act for the further Amendment of an Act for the more effectual Relief of the Destitute Poor in Ireland.”]

WE, the undersigned A. B. being
Union. } in the Occupation of a Tenement, to
wit a Cottage and Garden at — in the City [or County]
of — in the said Union, of a net annual Value [not
amounting to Five Pounds^b] and C. D. of — the imme-
diate Lessor of the said Tenement, do hereby, in pur-
suance of the Provisions of the above Acts, declare our
desire and do require that the said C. D., being such
immediate Lessor as aforesaid, shall be rated instead of the
said A. B. to the Poor's Rate for the said Union in respect
of the said Tenement. Witness our Hands this —
Day of —

A. B.

C D.

No. 25.—Complaint in Common Form.

1 & 2 Vic., Cap. 56, Sec. 99.

GENERAL
FORMS.

No. 25.
Complaint.

[Pursuant to the Act of Parliament passed in the Second Year of the Reign of Queen Victoria, intituled “An Act for the more effectual Relief of the Destitute Poor in Ireland.”]

County of — } THE Complaint and Information of
to wit. } C. of — in the County of — That

^a Form of Requisition of Occupier to be again rated in lieu of Lessor, under 1 & 2 Vic. c. 56, § 72, is appended to the act itself, (see Schedule 3, p. 96.)

^b By 6 & 7 Vic. c. 92, § 5 (p. 111), the provisions of the original act, § 72 (p. 54), are extended to properties rated at a net annual value *exceeding* £5. The words inclosed in the brackets are in such cases inapplicable, and the form should be varied accordingly.

FORMS.

No. 25.

¹ State the
Offence.² The Maxi-
mum of the
Penalty.

O. of — in the County of — within — Months heretofore, to wit, on the — Day of — [or between the — Day of — and the — Day of — both] in the Year One thousand eight hundred and — at — in the County named in the Margin hereof. did¹ — contrary to the Provisions of the above-mentioned Act, whereby the said O. hath rendered himself liable on Conviction to forfeit the Sum of² — for his said Offence.

In the County above named in the Margin, on the — day of — One Thousand Eight Hundred and — the Complaint was made by me,

(Signed) C. [Complainant.]

And was taken and received by me, J. P., Esquire, one of Her Majesty's Justices of the Peace for the same County.

(Signed) J. P.

No. 26.
Summons on
Complaint.

No. 26 — Summons on a Complaint in Common Form.

1 & 2 Vic., Cap. 56, Sec. 98, 99.

[Pursuant to the Act of Parliament passed in the Second Year of the Reign of Queen Victoria, intituled "An Act for the more effectual Relief of the Destitute Poor in Ireland."]

To O. of —

County of — } YOU are hereby required person-
to wit. } ally to appear before any Two of Her Majesty's Justices of the Peace for the County named in the Margin, who shall be present at — in the same County on the — Day of — One thousand eight hundred and — at the Hour of — in the — noon of the same Day, to answer the Complaint of C. of — in the County of — made in writing on the — Day of — before me, charging that you, on the — day of — One thousand eight hundred and — at — in the County named in the Margin, did³ — contrary to the Provisions of the above-mentioned Act.

³ State the
Offence as
charged in
the Com-
plaint.

By me J. P., Esquire, One of Her Majesty's Justices of the Peace for the County named in the Margin, under my Hand, in the same County, on the — Day of — One Thousand Eight Hundred and —

(Signed) J. P.

DIRECTIONS FOR SERVICE.—This Summons should be served on the Person to whom it is directed, either by Delivery to him

wherever he may be found, or by Delivery at his Place of Abode to his Wife or to any One of his Children or Servants who is of the Age of Sixteen Years or upwards.

A Duplicate or Copy of the Summons should be retained, and on it should be endorsed a Memorandum of the Fact and Date of the Service, signed by the Party serving. The following Form may be filled up for that Purpose.

FORMS.

No. 26.

“ — Day of — 18 .

“ I delivered a Duplicate of this Summons [or the Summons of which this is a true Copy] to the Person to whom it is directed [or at the House of the Person to whom it is directed, situate at — to — his wife.¹]

(Signed) —.”

¹ Or otherwise, as the case may be.

No. 27.—Summons to a Witness.

No. 27.

Summons to a Witness.

[Pursuant to the Act of Parliament passed in the Second Year of the Reign of Queen Victoria, intituled “An Act for the more effectual Relief of the destitute Poor in Ireland.”]

To A. W. of —

County of — }
to wit. }
—, Complainant. } YOU are hereby required, personally, to appear before any Two of Her
—, Defendant. } Majesty's Justices of the Peace for the
County named in the Margin, who shall be present at — in the same County, on the — Day of — One thousand eight hundred and — at the hour of — in the — noon of the same Day, to be examined as a Witness, according to Law, concerning the Matters alleged in a Complaint made in Writing by C. of — in the County of — charging that O. of — in the County of — on the — Day of — One thousand eight hundred and — at — in the County named in the Margin, did² — contrary to the Provisions of the above-mentioned Act.

² State the Offence.

By me, J. P., Esquire, One of Her Majesty's Justices of the Peace for the same County named in the Margin, under my Hand, in the same County, on the — Day of — One Thousand Eight Hundred and —

(Signed) J. P.

For Directions for Service, see Directions on preceding Summons.

FORMS.

No. 28.—Summary Conviction.

No. 28.
Summary
Conviction.

1 & 2 Vic., Cap. 56, Sec. 99.

[Pursuant to the Act of Parliament passed in the Second Year of the Reign of Queen Victoria, intituled “An Act for the more effectual Relief of the Destitute Poor in Ireland.”]

County of ——— } BE it remembered, That on the
to wit. } ——— Day of ——— One thousand eight

¹ State the
business or
calling.

hundred and ——— C. of ——— in the County of ———¹ ———
made his Complaint or Information in Writing before
J. P., Esquire, One of Her Majesty's Justices of the
Peace for the County named in the Margin, that O. of
——— in the County of ——— on the ——— Day of ——— One
thousand eight hundred and ——— at ——— in the County
named in the Margin hereof, did² ——— contrary to the
Provisions of the above-mentioned Act; and that the
said O. was duly summoned before the Justices of the
Peace for the same County who should be present at ———
in the same County, on the ——— Day of ——— to answer
the said charge; and accordingly the said O. appeared
before us I. P. and J. P., Esquires, the Justices of the
Peace for the same County, who were then and there
present, and, having heard the Charge contained in the
said Complaint, declared that he was not guilty of the
Offence so charged against him; whereupon we the said
Justices of the Peace present as aforesaid did proceed to
examine into the Truth of the Charge contained in the
said Complaint; and on the Day and at the Place men-
tioned at the Foot hereof, One credible Witness, to wit,
A. W. of ——— in the County of ——— on Oath duly
administered to him by us, deposeth and saith³ that
within ——— Months next before the said Complaint was
made as aforesaid, to wit, on the ——— Day of ——— One
thousand eight hundred and ——— at ——— within the said
County, named in the Margin of⁴

³ If O. were
present, say,
“in the pre-
sence of the
said O.”

⁴ Here state
the Evidence
of each Wit-
ness for or
against the
Charge, and
as nearly as
possible in
the words
used by the
Witnesses.

Total £ ———

Therefore it manifestly appearing to us that the said
O. is guilty of the Offence charged upon him in the said
Complaint, we do hereby convict him in the Offence
aforesaid, and do adjudge that the said O. shall pay
the sum of ——— of lawful Money of the United Kingdom,
by way of Forfeiture or Penalty for his said Offence, to
be applied according to the Provisions of the above-men-
tioned Act; and we do assess and allow the Costs
attending the said Complaint or Information, Summons
and Conviction, at the sum of ——— of like lawful Money,
to be paid by the said O.

Given under our Hands and Seals, in the County
named in the Margin, on the ——— Day of ——— One
Thousand Eight Hundred and ———

I. P. (Seal.)
J. P. (Seal.)

Variations and Additions to the Conviction in particular Cases.

FORMS.

No. 28.

Summary
Conviction.

When the Defendant was summoned but did not appear, then, after stating the Summons, say,

But the said O. did not appear before us the Justices of the Peace for the same County who were then and there present, pursuant to the said Summons. Nevertheless we the said Justices having taken the Deposition on Oath (duly administered by us) of A. W. of — a credible Witness in this behalf, that he the said A. W. on the — Day of — One thousand eight hundred and — at — served the said Summons on the said O. by delivering the same to — did proceed to examine into the truth of the said Charge.

When the Defendant appears, but makes no Defence, say, instead of “declared that he was not guilty of the said Offence charged against him,”

Neglected and refused to make any Defence against the said Charge.

When the Defendant confesses, then, instead of stating the Evidence, say,

And the said O. voluntarily acknowledged and confessed the same to be true.

Where the Penalty or Forfeiture is not paid, and the Magistrates think fit to detain the Offender, after the Conviction and Adjudication of the Penalty, proceed thus,

And whereas the said Penalty or Forfeiture, not having been paid by the said O. upon or since the said Conviction, we the said Justices have this Day issued our Warrant of Distress on the Goods and Chattels of the said O. for the Recovery thereof, which Warrant is made returnable to us within Seven Days from the date thereof. Now we do hereby order the Constable of — in the same County, and his Assistants, to detain and keep in his Custody the said O. until Return shall be made to us of the said Warrant of Distress within the Space of Time above mentioned, unless the said Sum so ordered to be levied shall be sooner paid

Warrant of
Detention.

[The Warrant of Detention may be a separate Instrument directed to the Constable, in which the Conviction may be recited, and the above Form altered to the Second Person.]

Where several Offenders are convicted of one joint Offence, say,

We do hereby convict each of them the said A. O., B. O., and C. O. in the Offence aforesaid, and we do adjudge that each of them shall pay the Sum of — of lawful Money of the United Kingdom, by way of Forfeiture or Penalty for his said Offence.

FORMS.
 No. 29.
 Summary
 Conviction.

No. 29.—Summary Conviction for an Offence punishable by Imprisonment.

1 & 2 Vic., Cap. 56, Sec. 58^a.

[Pursuant to the Act of Parliament passed in the Second Year of the Reign of Queen Victoria, intituled “An Act for the more effectual Relief of the Destitute Poor in Ireland.”]

¹ Here state the fact of which Complaint was made.

² Here state the Evidence of each Witness for or against the Charge, and as nearly as may be in the Words used by the Witness.

County of } BE it remembered, That on the — Day
 to wit. } of — One thousand eight hundred and —
 A. of — in the County of — made his Complaint
 before J. P., Esquire, One of Her Majesty's Justices of the
 Peace for the said County, that B. of — in the County
 of — on the — day of — did¹ — contrary to the
 Provisions of the above-mentioned Act; and the said B.
 being brought before us I. P., and J. P., Esquires, Two of
 Her Majesty's Justices of the Peace for the said County,
 at Petty Sessions in open Court holden for the said County
 last-mentioned, on the — Day of — One thousand
 eight hundred and — to answer the said Charge; and
 having heard the said Charge contained in the said Com-
 plaint declared that he was not guilty of the said Offence
 so charged upon him; whereupon we, the said Justices
 of the Peace present at the said Petty Sessions in open
 Court, did proceed to examine into the Truth of the
 Charge contained in the said Complaint; and on the Day
 and at the Place mentioned at the Foot hereof one
 credible Witness, to wit, E. F. of — in the County of
 — deposeth on Oath, duly administered to him by us,
 and saith, in the Presence of the said B. that within —
 Months next before the said Complaint was made as afore-
 said, to wit, on the — Day of — One thousand eight
 hundred and — at — within the said County named
 in the Margin hereof² —: Therefore it manifestly
 appearing to us the said Justices at Petty Sessions in open
 Court as aforesaid, that the said B. is guilty of the
 Offence charged upon him in the said Complaint, we do
 hereby convict him in the Offence aforesaid, and do ad-
 judge that the said B. for his said Offence be committed
 to the Common Gaol [or House of Correction] of the said
 County named in the Margin, there to be kept to hard
 Labour for the space of — Calendar Months.

Given under our Hands and Seals at — in the County
 named in the Margin, on the — Day of — One
 Thousand Eight Hundred and —.

I. P. (Seal.)
 J. P. (Seal.)

^a For form of Conviction under Vagrant Act, provided in § 6 of that act, 10 & 11 Vic. c. 84, see p. 154.

No. 30.—Dismissal of a Complaint.

FORMS.

1 & 2 Vic., Cap. 56, Sec. 58.

No. 30.
Dismissal of
Complaint.

[Pursuant to the Act of Parliament passed in the Second Year of the Reign of Queen Victoria, intituled “An Act for the more effectual Relief of the Destitute Poor in Ireland.”]

County of } BE it remembered, That on the
to wit. } — Day of — One thousand
eight hundred and — C. of — in the County of —
made his Complaint or Information in writing before J. P.,
Esquire, One of Her Majesty’s Justices of the Peace for
the County named in the Margin hereof, that O. of — in
the County of — on the — Day of — One thousand
eight hundred and — at — within the County named
in the Margin, did¹ — contrary to the provisions of
the above-mentioned Act, and that the said O. was duly
summoned before the Justices of the Peace for the said
County named in the Margin who should be present at
— on the — Day of — to answer the said Charge,
and accordingly the said O. appeared before us I. P., and
J. P., Esquires, the Justices of the Peace for the same
County, who were then and there present, and, having
heard the Charge contained in the said Complaint declared
that he was not guilty of the Offence so charged against
him. Whereupon we the said Justices did proceed to
examine into the Truth of the said Charge; and we do
declare that the Offence charged against the said —
was not proved to our satisfaction, and therefore we do
adjudge the said O. to be not guilty of the said Offence,
and that the said Complaint be dismissed.

¹ *State the
Offence.*

Given under our Hands and Seals in the County above-
named in the Margin, this — Day of — One Thousand
Eight Hundred and —.

No. 31.—Warrant of Distress.

1 & 2 Vic., Cap. 56, Sec. 103.

No. 31.
Warrant of
Distress.

[Pursuant to the Act of Parliament passed in the Second Year of the Reign of Queen Victoria, intituled “An Act for the more effectual Relief of the Destitute Poor in Ireland.”]

To the Constables of — and all other the Constables
in the County below-named in the Margin and
their Assistants, and to each of them.

County of } YOU are hereby commanded to distrain
to wit. } the Goods and Chattels of O. of — in the
County of — wherever they may be found in the County
named in the Margin, for the Sum of² — Pounds; and

² *The Penal-
ty and Costs.*

FORMS.
—
No. 31.
Warrant of
Distress.

¹ Here state
the Nature
of the Of-
fence gene-
rally.

Conviction
dated
Penalty, £
Costs, £

Total to be
levied, £

With Costs
of Distress
and Sale.

if within the space of — Days next after such Distress shall have been taken, the said Sum, together with the reasonable Charges of such Distress, shall not be paid, then you shall sell and dispose of the Goods and Chattels which shall be so distrained, and thereout raise the said Sum and the reasonable Charges of such Distress and Sale; and the Overplus (if any) you shall return to the said O. on Demand; and within Six Days from the Date hereof you shall make a Return to us of what you shall have done by virtue of this Warrant. The said O. having been duly convicted before Two Justices of the Peace of the County named in the Margin for an Offence against the Provisions of the above-mentioned Act, for that¹ — and thereupon adjudged to pay a certain penalty, and the Costs of Conviction, of which Conviction the Date, and of which Penalty and Costs the respective Amounts, are specified in the margin hereof.

By us, I. P., and J. P., Esquires, Two of Her Majesty's Justices of the Peace for the County named in the Margin, on this — Day of — One Thousand Eight Hundred and — under our Hands and Seals, in the same County.

(Signed)

I. P. (Seal.)
J. P. (Seal.)

No. 32.
Recogni-
zance for
Appearance
on Warrant
of Distress.

No. 32.—Recognizance for Appearance upon the Return of the Warrant of Distress.

1 & 2 Vic., Cap. 56, Sec. 103.

County of }
to wit. }

BE it remembered, That on the Day mentioned in the Caption hereof, O., P., and Q. came before me J. P. Esquire, one of Her Majesty's Justices of the Peace for the County named in the Margin hereof, and acknowledged themselves to be indebted to our Sovereign Lady the Queen in the following sums: viz. the said O. in the Sum of — Pounds, the said P. in the Sum of — Pounds, and the said Q. in the sum of — Pounds, of lawful Money of the United Kingdom, to be made and levied off their Goods and Chattels, Lands and Tenements, for Her Majesty's Use.

Acknowledged before me in the County above-named in the Margin, on the — day of — One Thousand Eight Hundred and —

(Signed) J. P.

The Condition of this Recognizance is, that if the said O. shall personally appear before Two of Her Majesty's Justices of the Peace for the said County named in the

Margin who shall be present at — in the same County, on the — Day of — One Thousand Eight Hundred and — to attend the Return of the Warrant of Distress issued against him, the said Recognizance shall be void.

FORMS.

No. 32.

O.

P.

Q.

No. 33.—Warrant of Arrest and Commitment for Want of Sufficient Distress.

1 & 2 Vic., Cap. 56, Sec. 103.

No. 33.
Warrant of
Arrest and
Commit-
ment.

[Pursuant to the Act of Parliament passed in the Second Year of the Reign of Queen Victoria, intituled “An Act for the more effectual Relief of the Destitute Poor in Ireland.”]

To the Constables of — and all other the Constables in the County below-named in the Margin, and their Assistants, and to each of them, and also to the Keeper of the Gaol [*or* House of Correction] of the same County, situate at —

County of } YOU the said Constables and Assist-
to wit. } ant Constables are commanded in Her Majesty’s Name forthwith to apprehend O. of — in the County of — wherever you shall find him in the County named in the Margin, and safely to convey and deliver him to the Keeper at the Prison above-named, together with the Duplicate of this Warrant.

And you the said Keeper are likewise commanded to receive into your Custody in the Prison above-mentioned the said O. and him therein safely to keep for the Term of —, unless the Sum of — shall be sooner paid, the said Sum being the Penalty and Costs (as stated in the Margin hereof) adjudged and assessed against the said O., on a Conviction (the Date of which is also mentioned in the said Margin) of him by Two Justices of the Peace of the last above-mentioned County, for an Offence against the Provisions of the above-mentioned Act, for that¹ — and a Warrant having been issued by Two of the said Justices to levy the said Penalty and Costs on the Goods and Chattels of the said Offender, and a Return having been made thereto that such Goods and Chattels could not be found sufficient to answer the Sum ordered to be levied; the Dates of which Warrant and Return are also mentioned in the Margin hereof.

Conviction,
dated
Penalty, £
Cost, £

Total, £

Warrant of
Distress,
dated
Return
thereto,
dated

¹ Here state
the Nature
of the Of-
fence of
which he was
convicted,
generally.

By us, I. P. and J. P., Esquires, Two of Her Majesty’s Justices of the Peace for the County above named in the Margin, on the — Day of — One Thousand Eight Hundred and — under our Hands and Seals in the same County.

I. P. (Seal)
J. P. (Seal.)

FORMS.

No. 34.

Complaint
on Oath to
ground a
Warrant to
Apprehend.

No. 34.—Complaint on Oath to ground a Warrant to apprehend.

1 & 2 Vic. Cap. 56, Sec. 58, 60.

[Pursuant to the Act of Parliament passed in the Second Year of the Reign of Queen Victoria, intituled “An Act for the more effectual Relief of the Destitute Poor in Ireland.”]

County of
to wit.

} THE Complaint and informa-
tion on Oath of C. of — in the

County of — That O. of — in the County of —
being — within — Months heretofore, to wit, on the
— Day of —, One thousand eight hundred and —,
at —, in the County named in the Margin, did¹ —
contrary to the Provisions of the above-mentioned Act.

¹ State the
Offence.

In the County named in the Margin on the — Day
of — One Thousand Eight Hundred and — made
by me.

(Signed) C.

And sworn before me J. P., Esquire, One of Her
Majesty's Justices of the Peace for the same
County.

(Signed) J. P.

The Cases to which this Form will apply are those under 1 & 2
Vic., Cap. 56, Sec. 58.

1. Any Person refusing to be lodged and maintained in Workhouse.
2. Any Person maintained in Workhouse—
 - 1st. Absconding from, while his Wife or Children whom he is liable to maintain are relieved therein.
 - 2nd. Refusing to be set to work in Workhouse.
 - 3rd. Being Drunken in Workhouse.
 - 4th. Being insubordinate to the Officers of the Workhouse.
 - 5th. Being disobedient to the Rules prescribed by the Commissioners for the Government of Workhouses.
 - 6th. Or otherwise misbehaving in Workhouse.
3. Any Person introducing or attempting to introduce, contrary to the orders of the Commissioners, spirituous or fermented Liquors into Workhouse.

No. 35.
Warrant for
Arrest and
Commitment
in foregoing
cases.

No. 35.—Warrant for Arrest and Commitment.

1 & 2 Vic., Cap. 56, Sec. 58, 60.

[Pursuant to the Act of Parliament passed in the Second Year of the Reign of Queen Victoria, intituled, “An Act for the more effectual Relief of the Destitute Poor in Ireland.”]

To the Constables of — and all other the Constables
in the County below-named in the Margin, and
their Assistants, and to each of them; also to the
Keeper of the Common Gaol [*or* House of Correc-
tion] of the same County, situate at

County of } YOU the said Constables and Assistant
to wit. } Constables are commanded in Her Majesty's Name to apprehend O. of — in the County of — wherever he may be found in the County named in the Margin, and safely to convey and deliver him to the above-named Keeper at the Prison above-mentioned, together with the Duplicate of this Warrant; and you the said Keeper are likewise commanded to receive into your Custody in the said Prison the said O. and him therein safely to keep to hard labour for the Term of —. The said O. having been duly convicted on the Day mentioned in the Margin hereof before us, Two of the Justices of the Peace for the County last above-mentioned at Petty Sessions, in open Court, on the Oath of C. for an Offence against the Provisions of the above-mentioned Act, for that¹

FORMS.
 —
 No. 35.

Conviction
 dated

¹ State the
 substance of
 the Offence
 as in the
 Conviction.

By us, I. P., and J. P., Two of Her Majesty's Justices of the Peace for the County named in the Margin on this — Day of — One Thousand Eight Hundred and — under our Hands and Seals, in the same County.

I. P. (Seal.)
 J. P. (Seal.)

No 36.—Warrant to Apprehend.

1 & 2 Vic., Cap. 56, Sec. 60.

No. 36.
 Warrant to
 Apprehend.

[Pursuant to the Act of Parliament passed in the Second Year of the Reign of Queen Victoria, intituled "An Act for the more effectual Relief of the Destitute Poor in Ireland."]

To the Constables of — and all other the Constables in the County named in the Margin, and their Assistants, and to each of them.

County of } YOU are hereby commanded in Her
to wit. } Majesty's Name forthwith to apprehend O. of — in the County — wheresoever you shall find him in the County named in the Margin, and to bring him before any two of Her Majesty's Justices of the Peace for the said County who shall be present at the Petty Sessions in open Court which shall be held at — in the same County next after such apprehension, to be dealt with as is directed by the above-mentioned Act, the said — having been charged on the Oath of C. of — in the County of — with having on the — Day of — [or between the — Day of — and the — Day of — both] in the Year one thousand eight hundred and — in the said County named in the Margin² — contrary to the Provisions of the above-mentioned Act.

² State the
 substance of
 the Charge
 from the
 Complaint.

By me, J. P., Esquire, one of Her Majesty's Justices of the Peace for the County above-named in the Margin, on the — Day of — One Thousand Eight Hundred and — under my Hand and Seal, in the same County.

(Signed) J. P.

FORMS.

No. 36.

DIRECTIONS FOR EXECUTION.—Under this Warrant, the Party charged may be apprehended by any One or more of the Officers or Persons to whom the Warrant is either personally or by their official name directed, anywhere in the County in which the Justice signing the Warrant has Jurisdiction.

If it be necessary to seek or pursue the Offender in another County, a Return should be made of his not having been found in the one County, and Authority obtained for executing the Warrant in another County by filling up the proper Endorsements on the Warrants.

No. 37.
Endorse-
ments which
may be
printed on
foregoing
Warrants.

¹ County,
City, or
Town, as the
case may be.

No. 37.—Endorsements which may be printed on any of the foregoing Warrants, to be filled up if required.

1 & 2 Vict., Cap. 56, Sec. 60, 103.

I [or We] do hereby require that authority be given for the Execution of this Warrant in the [County¹ of —].

Dated this — Day of — 18

(Signed) C.

Let this Warrant be executed by C. and his Assistants in the County of

Dated this — Day of — 18

(Signed) J. P.

One of Her Majesty's Justices of the Peace of and for the same County.

No. 38.
Return by
Constable of
Nulla bona,
&c., upon a
Warrant.

No. 38.—Return by the Constable of Nulla bona or Non est inventus upon a Warrant.

County of } I. C. the Constable of — in the
to wit. } County of —, do hereby Certify,

That by virtue of the Warrant to which this Return is annexed I have made diligent Search for [the Goods and Chattels of] the therein named O. within the said County, and that I cannot there find [sufficient Goods and Chattels of the said O. whereon to levy the within mentioned Sum of —] [or him.]

As witness my Hand this — Day of — One Thousand Eight Hundred and

(Signed) C.

Sworn before me the Day and Year above written.

(Signed) J. P.

One of Her Majesty's Justices of the Peace for the County named in the Margin.

No. 39.
Complaint of
Union
Officer's
Peculation.

No. 39.—Complaint against a Union Officer for Peculation.

1 & 2 Vict., Cap. 56, Sec. 101.

[Pursuant to the Act of Parliament passed in the Second Year of the Reign of Queen Victoria, intituled "An Act for the more effectual Relief of the Destitute Poor in Ireland."]

County of
to wit.

} THE Complaint and Information of
C. of —, in the County of —, that

O. of —, in the County of —, then and still being¹ —, at —, in the County named in the Margin, on — [or within — Months heretofore, to wit, on the — Day of —], did embezzle certain Moneys amounting to the Sum of — [or² did purloin, or did wilfully waste, or did wilfully misapply certain Goods and Chattels, to wit³ — of the Value of —], being the Moneys [or the Goods and Chattels] belonging to the said Union, contrary to the Provisions of the above-mentioned Act, whereby the said O. hath rendered himself liable on Conviction to forfeit a Sum not exceeding Twenty Pounds, and also Treble the Amount of the Money so embezzled [or the value of the Goods and Chattels so purloined, wasted, or misapplied].

FORMS.

No. 39.

¹ *State the official character. It must appear that he was in the employment of the Guardians.*

² *As the case may be.*

³ *Specify the Goods as generally as possible, and avoid the repetition of the same Articles.*

In the County named in the Margin on the — Day of —, One Thousand Eight Hundred and — this Complaint was made by me.

(Signed) C. [Complainant.]

And was taken and received by me, J. P., Esquire, One of Her Majesty's Justices of the Peace for the same County.

(Signed) J. P.

No. 40.—Summons to a Union Officer for Peculation.

1 & 2 Vic., Cap. 56, Sec. 98, 101.

[Pursuant to the Act of Parliament passed in the Second Year of the Reign of Queen Victoria, intituled "An Act for the more effectual Relief of the Destitute Poor in Ireland."]

To O. of —.

County of } YOU are hereby required personally
to wit. } to appear before any Two of Her Majesty's Justices of the Peace for the County named in the Margin, who shall be present at —, in the same County, on the — Day of —, at the Hour of —, in the — noon of the same Day, to answer the Complaint of C. of —, in the County of —, made in Writing before me, on the — Day of —, One thousand eight hundred and —, charging that you, being — of the — Union, did [embezzle⁴ —,] being Moneys [or Goods and Chattels] belonging to the said Union, contrary to the Provisions of the above-mentioned Act.

No. 40.
Summons to
a Union
Officer for
Peculation.

⁴ *State the Charge from the Complaint.*

By me, J. P., Esquire, One of Her Majesty's Justices of the Peace for the County named in the Margin, under my Hand in the same County, on the — day of —, One Thousand Eight Hundred and —.

(Signed) J. P.

(For mode of service and proof thereof, see directions on Form No. 26, p. 1012.)

FORMS.

No. 41.—Conviction of Union Officer for Peculation.

No. 41.
Conviction
of Union
Officer for
Peculation.

1 & 2 Vict., Cap. 56, Sec. 101.

[Pursuant to the Act of Parliament passed in the Second Year of the Reign of Queen Victoria, intituled “An Act for the more effectual Relief of the Destitute Poor in Ireland.”]

County of _____) BE it remembered, That on the ———
to wit. (Day of ———, One thousand eight
hundred and ———, C. of ———, in the County of ———,
1——, made his Complaint or Information in Writing
before J. P., Esquire, One of Her Majesty's Justices of
the Peace for the County named in the Margin, that O.
of ———, in the County of ———, on the ——— Day of ———,
One thousand eight hundred and ———, at ———, in
the County named in the Margin hereof, did² ——— con-
trary to the Provisions of the above-mentioned Act; and
that the said O. was duly summoned before the Justices
of the Peace for the same County, who should be present
at ———, in the same County, on the ——— Day of ———,
to answer the said Charge; and accordingly the said O.
appeared before us I. P. and J. P., Esquires, the Justices
of the Peace for the same County, who were then and
there present, and, having heard the Charge contained
in the said Complaint, declared that he was not guilty
of the Offence so charged against him; whereupon we
the said Justices of the Peace present as aforesaid did
proceed to examine into the Truth of the Charge con-
tained in the said Complaint, and on the Day, and at the
Place mentioned at the Foot hereof, One credible Wit-
ness, to wit, A. W. of ———, in the County of ———, on
Oath duly administered to him by us, depose³ and saith³
that within ——— Months next before the said Com-
plaint was made as aforesaid, to wit, on the ——— Day of
———, One thousand eight hundred and ———, at ———,
within the said County named in the Margin,⁴—And
that the said Goods and Chattels in the said Complaint
and Evidence mentioned, at the Time when the same
were so purloined, were of the Value of ——— Pounds of
Sterling Money; And we the said Justices do hereby
convict the said O. of the Offence aforesaid; and we do
adjudge that the said O. shall pay the Sum of ——— of
Sterling Money, by way of Forfeiture or Penalty for the
Offence aforesaid, and also the Sum of ——— of like Money,
being Treble the Value of the Goods and Chattels so
purloined [embezzled, wasted, or misapplied], to be ap-
plied in aid of the Poor Rate of the said Union.

¹ State the
business or
calling.

² Here set
forth the fact
of which
Complaint
was made.

³ If O. were
present, say
“in the pre-
sence of the
said O.”

⁴ Here state
the Evidence
of each Wit-
ness for or
against the
Charge, and
as nearly as
possible in
the Words
used by the
Witnesses.

Given under our Hands and Seals at ———, in the
County named in the Margin, on the ——— Day of
———, One Thousand Eight Hundred and ———.

I. P. (Seal.)
J. P. (Seal.)

No. 42.—Complaint for Disobedience to Order of Guardians.

1 & 2 Vict., Cap. 56, Sec. 100.

[Pursuant to the Act of Parliament passed in the Second Year of the Reign of Queen Victoria, intituled "An Act for the more effectual Relief of the Destitute Poor in Ireland."]

County of _____ } THE Complaint and Information
to wit. } of C., of _____ in the County of _____

That whereas the Guardians of the Poor of the _____ Union did, in execution of the Provisions of the above-mentioned Act, and as they lawfully and reasonably might do, by an Order made by a Majority of such Guardians present and voting at a Meeting of the Board, and verified by the Signatures of Three Guardians, Members of the Board of the said Guardians, and countersigned by their Clerk, bearing date the _____ Day of _____ One thousand eight hundred and _____, order and direct¹ _____ And the said Order, the same being a legal and reasonable Order, was duly delivered to O. on the _____ Day of _____ One Thousand Eight Hundred and _____, the said O. then and still being one of the Officers of the said Union, namely² _____ yet the said O. wilfully disobeyed the said Order,³

Whereupon the said C. prays that the said O. may be summoned before Two of Her Majesty's Justices of the Peace for the County named in the Margin hereof, for the purpose of showing Cause why he should not be convicted in the penalty imposed by the said Act on Persons wilfully disobeying the legal and reasonable Orders of the Guardians in carrying the Provisions of the said Act into execution.

In the County named in the Margin on the _____ Day of _____ One Thousand Eight Hundred and _____ this Complaint was made by me,

(Signed) C. [Complainant.]

And was taken and received by me, J. P. Esquire,
One of Her Majesty's Justices of the Peace for the same County.

(Signed) J. P.

For Forms of Conviction, &c., which may be adapted to the above case, see preceding pages.

No. 43.—Summons by a Poor Law Inspector to appear before him.

10 & 11 Vict., Cap. 90, Sec. 19, 20.

[Pursuant to an Act passed in the Tenth and Eleventh Years of the Reign of Her present Majesty Queen Victoria, intituled "An Act to provide for the execution of the Laws for Relief of the Poor in Ireland."]

To _____, of _____.

County of _____ } THESE are to require you personally to
to wit. } appear before me _____, on _____ at _____,

FORMS.

No. 42.

Complaint
for Disobe-
dience to
Order of
Guardians.

¹ State the
mandatory
part of the
Order.

² State the
Office which
the Party
charged
holds.

³ State the
Actor Omi-
sion com-
plained of.

No. 43.
Summons by
Poor Law
Inspector.

FORMS.

No. 43.

to answer upon Oath, or otherwise, such Questions as shall be put to you upon any matter connected with the objects, or purposes, or the execution of the Provisions of the said Act.

And you are hereby required to bring with you —.

Herein fail not, as you shall answer at your peril.

Given under my Hand and Seal, at — this — Day of
— One Thousand Eight Hundred and —.

—, *Poor Law Inspector.*

No. 44.
Application
for Order on
Child to sup-
port Parent.

No. 44.—Application for Order on Child to support Parent.

1 & 2 Vict., Cap. 56, Sec. 57; and 10 Vict., Cap. 31, Sec. 8.

[Pursuant to the Act of Parliament passed in the Second Year of the Reign of Queen Victoria, intituled “An Act for the more effectual Relief of the Destitute Poor in Ireland,” or Tenth of Victoria, &c., *as the case may be.*]

County of } THE Complaint of C. on behalf of
to wit. } the Guardians of the Poor of the —
Union, That S dwelling at — in the County named
in the Margin, is of sufficient Ability to support or to
contribute to the support of P. his [*or her*] Father [*or*
Mother], a poor Person, who through old Age [*or In-*
firmity, *or Defect*] hath been and still is unable to support
himself [*or herself*], and to whom Relief (the Cost Price
of which amounts to —) hath during such Inability
been given under the said Act, within — last past, and
to whom such Relief is still continued to be given.

And the Application of the said Complainant there-
upon for an Order to be made under the said Act on the
said Child of the said poor Person, directing a sum not
exceeding the Cost Price aforesaid in respect of the Relief
so already given, and a weekly or other periodical Pay-
ment in respect of such Relief as shall be subsequently
given to the said poor Person, to be paid by the said
Child of the same poor Person to the said Guardians.

In the County named in the Margin, on the — Day
of — One Thousand Eight Hundred and — the
above Complaint and Application was made by me
on behalf of the said Guardians.

(Signed) C. [Complainant.]

And was exhibited before us, Two of Her Majesty's
Justices of the Peace for the same County.

(Signed) I. P.
J. P.

[A Summons should be issued to the Party complained against,
to answer the Complaint and Application. See Forms which may
be adapted, in preceding pages.]

No. 45.—Order on Child for support of his Parent.

FORMS.

1 & 2 Vict., Cap. 56, Sec. 57; and 10 Vict., Cap. 31, Sec. 8.

No. 45.

[Pursuant to the Act of Parliament passed in the Second Year of the Reign of Queen Victoria, intituled “An Act for the more effectual Relief of the Destitute Poor in Ireland, or Tenth of Victoria, &c., as the case may be.]

Order on
Child for
Support of
his Parent.

County of } ON the Application and Complaint
to wit. } of C. in behalf of the Guardians of
the — Union, to us made, the — Day of —, One
thousand eight hundred and —, that S. dwelling at
— in the County named in the Margin, is of sufficient
Ability to support or to contribute to the Support of his
[or her] Father [or Mother], a poor Person, who, through
old Age [or Infirmary, or Defect] hath been and still is
unable to support himself [or herself], and to whom Relief
(the Cost Price of which amounts to —) hath during
such Inability been given under the above-mentioned
Act within — then last past, and to whom relief was
still continued to be given.

And upon hearing this Day the proofs adduced by the
said Guardians in support of their said Complaint, and
what the said — had to allege or prove in his Behalf
in answer thereto [or, and the said — not having at-
tended pursuant to Summons to answer the said Com-
plaint], it is ordered, that the said S. shall—

1. Forthwith, upon Notice of this Order, pay to the
Treasurer of the said Guardians, for their Use, the Sum
of — in respect of — and which does not exceed the
Cost Price of the Relief which has been so given to the
said poor Person under the said Act previously to the
Date of this Order.

2. From the Date hereof pay on the — day in every
Week unto the said Treasurer, for the Use of the said
Guardians, the Sum of — in respect of such Relief as
shall be given to the said poor Person by the said Guar-
dians, under the Act above-mentioned, subsequently to
the Date of this Order, during so long a Time as the said
poor Person shall be relieved by the said Guardians.

By us, I. P. and J. P., Esquires, Two of Her Majesty’s
Justices of the Peace for the County named in the
Margin, under our Hands and Seals in the same
County, on the — Day of — One Thousand
Eight Hundred and —.

I. P.
J. P.

[This Order may be made upon several Children, each to con-
tribute a Quota. The Order may be enforced by Distress and Im-
prisonment for Want of Distress.]

No. 46.—Notice of Appeal against a Conviction
by Justices.

No. 46.
Notice of Ap-
peal against
a Conviction
by Justices.

1 & 2 Vict., Cap. 56, Sec. 106, 109.

County of } I. C. of — in the County of —,
to wit. } feeling myself aggrieved by the Order
[or Conviction or Adjudication] of I. P. and J. P., Esquires,

FORMS.

No. 46.
Notice of Ap-
peal against
a Conviction
by Justices.

¹ State the
grounds of
Appeal.

Two of Her Majesty's Justices of the Peace for the County named in the Margin hereof, assembled in Petty Sessions at — in the same County, on the — Day of —, One thousand eight hundred and —, on a certain Complaint made by — against — for —, do hereby give you Notice that I shall appeal from the said Order [*or Conviction or Adjudication*] to the next General Quarter Sessions of the Peace to be held for the same County, upon the following Causes or Grounds; that is to say¹, —

Witness my Hand this — Day of —, 18—.

To — (Signed)

No. 47.
Recogni-
zance to try
Appeal.

No. 47.—Recognizance to try Appeal.

1 & 2 Vict., Cap. 56, Sec. 106; 12 & 13 Vict., Cap. 104, Sec. 23.
County of } BE it remembered, That on the Day
to wit. { mentioned in the Caption hereof. O., P.,

and Q., came before me J. P., Esquire, One of Her Majesty's Justices of the Peace for the County named in the Margin hereof, and acknowledged themselves to be indebted to our Sovereign Lady the Queen in the following Sums; viz the said O. in the Sum of — Pounds, the said P. in the Sum of — Pounds, and the said Q. in the Sum of — Pounds, of lawful Money of the United Kingdom, to be made and levied off their Goods and Chattels, Lands and Tenements, for Her Majesty's use.

Acknowledged before me in the County above-named in the Margin, on the — Day of — One Thousand Eight Hundred and —.

(Signed) J. P.

² The Appel-
lant.

C. of — Appellant. } THE Condition of this Recog-
O. of — Respondent. } nizance is, that if the said C.² shall,
at the next General Quarter Sessions to be held in and for the County mentioned in the Margin hereof, try the Appeal between the Parties named in the said Margin, and abide the Order of and pay such Costs as shall be awarded by the Justices at such Sessions, the said Recognizance shall be void.

No. 48.
Justification
of Sureties.

No. 48.—Justification of Sureties.

1 & 2 Vict., Cap. 56, Sec. 106.

County of } I —, do swear, That I usually re-
to wit. { side at —, in the Parish of —, and
Barony of —, and County of —, and that I support and maintain myself by —. So help me God.

I —, do swear, That I am a Householder, and have a House, where I usually reside, at —, in the Parish of —, and —, Barony of —, and County of —, and that I support and maintain myself by —, and that I am worth the Sum of — over and above all my just Debts. So help me God.

I —, do swear, That I am a Householder, and have a House, where I usually reside, at —, in the Parish of —, and —, Barony of —, and County of —, and that I support and maintain myself by —, and

that I am worth the Sum of — over and above all my just Debts. So help me God

Sworn before —, at —, this — Day of —, 18—.

FORMS.

No. 49.—Adjudication of Sessions reversing Acquittal by Justices.

No. 49. Adjudication of Sessions reversing Acquittal by Justices.

1 & 2 Vict., Cap. 56, Sec. 107.

County of — to wit.

O. of — Respondent.

C. of — Appellant.

AT the General [or Quarter] Sessions of the Peace holden at —, in and for the County named in the Margin hereof, on the — Day of —, One thousand eight hundred and — before — Justices of our Lady the Queen assigned to keep the Peace of our said Lady in and for the said County, and also to hear and determine divers Felonies, Trespasses, and other Misdemeanors committed in the said County.

Whereas on the — Day of —, One thousand eight hundred and —, at — in the said County, a Complaint or Information in Writing, was laid by C. against O. of — charging that the said O. on — at — in the County named in the Margin, did — contrary to the Form of the Statute in such Case made and provided. And whereas upon the hearing of the said Complaint before I P. and J. P., Esquires, Two of Her Majesty's Justices of the Peace for the said County, on the — Day of —, One thousand eight hundred and —, the said O. was declared to be not guilty of the Offence in the said Complaint charged against him, and the said Complaint was adjudged to be dismissed.

1 State the Offence as in the Complaint.

And whereas the said C. hath duly appealed from the said Adjudication to this present Sessions of the Peace: Now, upon the hearing of the said Appeal, it manifestly appears to the Justices here present, that the said O. is guilty of the Offence charged in the said Complaint against him. It is therefore ordered by the Justices here present that the said Appeal be and the same is hereby allowed, and the said Adjudication reversed And the said O. is hereby convicted of the said Offence, and it is adjudged that he hath forfeited for his said Offence the Sum of — Sterling, to be applied according to Law: And the Costs of the Appellant are assessed and allowed at the Sum of —, to be paid by the said O, making together the Sum of —.

Penalty, £
Costs, £
Total, £

By the Court
A. B. Clerk to the Justices or Clerk of the Peace of the said County.

No. 50.—Warrant of Distress after Affirmance of Conviction by Sessions.

No. 50. Warrant of Distress after Affirmance of Conviction by Sessions.

1 & 2 Vict., Cap. 56, Sec. 103.

[Pursuant to the Act of Parliament passed in the Second Year of the Reign of Queen Victoria, intituled "An Act for the more effectual Relief of the Destitute Poor in Ireland."]

To the Constable of — and all other the Constables

FORMS.

No. 50.

Warrant of
Distress after
Affirmance
of Conviction
by Sessions.

County of
to wit.

in the County below-named in the Margin, and their Assistants, and to each of them.

YOU are hereby commanded to distress the Goods and Chattels of O. of —, in the County of —, wherever they may be found in the County named in the Margin, for the Sum of — Pounds; and if within the space of — Days next after such Distress shall have been taken, the said Sum, together with the reasonable Charges of such Distress, shall not be paid, then you shall sell and dispose of the Goods and Chattels so distrained, and thereon raise the said Sum and the reasonable Charges of such Distress and Sale, and the Overplus (if any) you shall return to the said O. on Demand; and within — Days from the Date hereof, you shall make a Return to us of what you shall have done by virtue of this Warrant. The said O. having been duly Convicted before Two Justices of the Peace of the County last above-mentioned for an Offence against the Provisions of the above-mentioned Act, and thereupon adjudged to pay a certain Penalty and the Costs of Conviction, and which Conviction, hath on Appeal by the said O., been affirmed by the Justices of the same County at their Sessions, with Costs; and the said Penalty and Costs not having been paid; the Dates of which Conviction and of the Affirmance on Appeal, and the respective Amounts of which Penalty, Costs on Conviction, and Costs on Appeal, are specified in the Margin hereof.

Conviction
dated
Penalty, £
Costs on Con-
viction, £
Costs on
Appeal, £
Total to be
levied, £

—
with Costs of
Distress and
Sale.

By us, I. P. and J. P., Two of Her Majesty's Justices of the Peace for the County named in the Margin, on this — Day of — One Thousand Eight Hundred and — under our Hands and Seals in the same County.

(Signed) I. P. (Seal.)
J. P. (Seal.)

No. 51.
Warrant of
Distress.

No. 51.—Warrant to apprehend, and Committal, after a Return of Nulla bona to a Warrant of Distress issued after an Affirmance on Appeal of a Conviction.

1 & 2 Vict., Cap. 56, Sec. 103.

[Pursuant to the Act of Parliament passed in the Second Year of the Reign of Queen Victoria, intituled "An Act for the more effectual Relief of the Destitute Poor in Ireland."]

To the Constables of — and all other the Constables in the County below-named in the Margin, and their Assistants and to each of them; and also to the Keeper of the Gaol [or House of Correction] of the same County, situate at

County of
to wit.

YOU the said Constables and Assistant Constables are hereby commanded in Her Majesty's Name forthwith to apprehend O. of —

in the County of ——— wheresoever you shall find him in the County named in the Margin, and safely to convey and deliver him to the Keeper at the Prison above-mentioned, together with the Duplicate of this Warrant.

And you the said Keeper are likewise commanded to receive into your Custody, in the Prison above-mentioned, the said O. and him therein safely to keep for the Term of ———, unless the Sum of ——— shall be sooner paid; the said O. having been duly convicted before Two Justices of the Peace of the County last above-mentioned for an Offence against the above-mentioned Act, for that¹ ——— and thereupon adjudged to pay a certain Penalty and Costs on Conviction; and which Conviction hath, on Appeal by the said O. been affirmed by the Justices for the same County at their Sessions, with Costs; and a Warrant having been issued by Two of the said Justices to levy the said Penalty, and the Costs on Conviction, and Costs on Appeal, on the Goods and Chattels of the said Offender, a Return hath been made thereto that such Goods and Chattels could not be found sufficient to answer the Sum ordered to be levied; the Dates of which Conviction and Affirmance thereof on Appeal, and of such Warrant of Distress and of the Return thereto, and also the respective Amounts of such Penalty, Costs on Conviction, and Costs on Appeal, are all stated on the Margin hereof.

FORMS.

No. 51.
Warrant of
Distress.

¹ Here state
the nature of
the Offence
generally.

Conviction,
dated ———.
Affirmance
by Sessions,
on ———.
Penalty, £
Costs on
Convic-
tion, £
Costs on
Appeal, £

Total to be
paid for
Liberation, £

Warrant of
Distress,
dated
Return
thereto,
dated

By us, I. P. and J. P., Esquires, Two of Her Majesty's Justices of the Peace for the County above-named in the Margin, on the ——— Day of ——— One Thousand Eight Hundred and ——— under our Hands and Seals in the same County.

(Signed)

I. P. (Seal.)
J. P. (Seal.)

No. 52.—Form of Memorial from a Board of Guardians to the Commissioners, to take Land under and for the Purposes of 11 & 12 Vict., c. 25.

No. 52.
Memorial of
Guardians to
take Land.

11 & 12 Vict., Cap. 25, Sec. 1.

— UNION.

To the Commissioners for administering the Laws for Relief of the Poor in Ireland.

WE, the undersigned, being Guardians of ——— Union, in pursuance of the provisions of an Act passed in the twelfth year of her present Majesty, entitled, "An Act to extend the powers given by former Acts for purchasing or hiring Land, in connexion with or for the use of Work-houses in Ireland, and for providing for the Burial of the Poor," do hereby memorialize you, the Commissioners for administering the Laws for Relief of the Destitute Poor in Ireland, to hire or purchase,—in addition to the quantity of land authorized by law before the passing of

FORMS.
—
No. 52.

the above Act to be purchased or hired for the site of a Workhouse, or to be occupied therewith, or for the site of a fever ward, or for a cemetery, or other purpose,—such further quantity of land, not to exceed twenty-five statute acres, as may be deemed necessary, for the purpose of being cultivated for the employment of children or persons under the age of sixteen, being inmates of the Workhouse in the said Union, and for the further purpose of thus instructing such children in an improved system of the cultivation of land.

Witness our hands hereunto subscribed, at the respective dates hereunder written.

Signatures of Guardians.

Dates of Signature.

I, — Clerk, for the time being, of the — Union, certify that the foregoing are the signatures of a majority of the whole number of Guardians of the said Union.

Signature of Clerk, —

Date, — 185—.

AUDIT
FORMS.
—

No. 53.
Summons by
Auditor for
Attendance
of Account-
ant as
Witness.

No. 53.—Summons by an Auditor for Attendance of an Accountant as Witness.

1 & 2 Vic., Cap. 56, Sec. 94, 95: and 10 Vic. Cap. 31, Sec. 27.

[Pursuant to an Act passed in the Second Year of the Reign of Her present Majesty Queen Victoria, intituled “An Act for the more effectual Relief of the Destitute Poor in Ireland.”]

To —, of —.

County of —, *to wit.* } THESE are to require you personally
to appear before me, —, on —
at —, to answer upon Oath, or otherwise, such Questions as shall be put to you upon any matter connected with the objects or purposes or the execution of the Provisions of the Acts for the Relief of the Destitute Poor in Ireland.

And you are hereby required to bring with you —.

Herein fail not, as you shall answer at your peril.

Given under my hand and seal, at —, this — day of —, One Thousand Eight Hundred and —.

—, Auditor.

No. 54.
Complaint
by Auditor
against an
Accountant.

No. 54.—Complaint in Writing by an Auditor against an Accountant debited by him.

1 & 2 Vict., Cap 56, Sec. 94.

¹ *County in which the subject of complaint has arisen.*

² *Auditor's name and place of abode.*

County of ¹ —, *to wit.* } ² — of — in the County of —
Auditor of the — Union, formed under the Acts for the Relief of the Destitute Poor in Ireland, comes before — of — in the said County of ¹ — a Justice of the Peace for said County, on the — Day of — One Thousand Eight Hundred and —

at — in said County, and Complains for that he the said ^b — as Auditor of the said Union, did, on the — Day of — audit the Accounts of the said Union for the half-year ending the — Day of — in the year — and did upon such audit find that a balance amounting to the sum of £ — was due from^c — and did accordingly, by his certificate, bearing date the — Day of — One Thousand Eight Hundred and —, signed by him as such Auditor, certify^d — and did thereby debit the said^e — as^f — of the said Union, with the sum of £ — being the balance or Sum so found due and payable by him the said^e — as such^f — and for which said^e — was liable under the said Acts, and which said Sum has not been paid by the said^e — pursuant to the provisions of said Acts; wherefore the said^b — as such Auditor, prays to summon the said^e — to appear on^g — at — before such Two Justices of the said County of^a — as shall then be there to answer this complaint, and be further dealt with according to Law.

In the said County, on the — Day of — One Thousand Eight Hundred and —, the said Complaint was made by me.

— Auditor of the Union.

And was taken and received by me, in the County aforesaid.

— J. P. for said County.

No. 55.—Summons to Accountant to appear on Auditor's Complaint.

1 & 2 Vict., Cap: 56, Sec. 94.

County of^a
to wit.

TO^b — of — in the County of
—.

Whereas^c — Auditor of the — Union formed under the Acts for the Relief of the Destitute Poor in Ireland, on the — Day of — One Thousand Eight Hundred and —, made Complaint in writing before me, a Justice of the Peace for said County of^a —, charging that the said^e — as Auditor of the said Union, did, on the — Day of — audit the Accounts of the said Union, for the half-year ending the — Day of — in the year —, and did upon such audit find that a balance amounting to the sum of £ — was due from^d — and did accordingly by his certificate, bearing date the — Day of — One Thousand Eight Hundred and — signed by him as such Auditor, certify^e — and thereby debited you^f — as^g — of the said Union, with the sum of £ — being the balance or Sum so found due and payable by you as such^g — and for which you were liable under the Acts for Relief of the Destitute Poor in Ireland, and which said Sum has not been paid pursuant to the provisions of the said Acts: These are therefore to command you in Her Majesty's name to be and appear before any Two Justices of the Peace for the said County of^a — who

FORMS.

No. 54.

^a Name of Person debited, and Office in virtue of which he is so debited.

^a State shortly the Certificate.

^e Name of person debited.

^f Office in virtue of which he is debited.

^g Time and place where complaint is to be heard.

No. 55.

Summons to Accountant to appear on Auditor's Complaint.

^a County in which the subject of complaint has arisen.

^b Name of Defendant.

^c Name of Auditor.

^a Name of person debited, and Office in virtue of which he is so debited.

^e State shortly the certificate, as in complaint.

^f Name of person debited.

^g Office in virtue of which he is debited.

FORMS.

No. 55.
Summons to
Accountant
to appear
on Auditor's
Complaint.

shall be present at — in the said County, on the — Day of — One Thousand Eight Hundred and — at the hour of — o'clock in the — noon of said Day, to answer the said Complaint, and be further dealt with according to law.

————— *A Justice of the Peace for
the said County of —*

DIRECTIONS FOR SERVICE.—To be served upon the person to whom it is directed, personally, or by delivery at his place of abode to his wife, child, or servant, being of the age of sixteen years or upwards.

No. 56.
Order of
Justices
on Complaint
by Auditor.

No. 56.—Order of Justices on Complaint by Auditor.

*a County in
which the
subject of
complaint
has arisen.*

*b Justice
who issued
Summons.*

*c Name of
Auditor.*

*d State the
facts entit-
ling Com-
plainant to
the Order,
with the time
and place
when and
where they
occurred.*

*e Name of
Complain-
ant and De-
fendant if
both appear.*

f Defendant.
*g Person in
whose favour
the Order is
made.*

1 & 2 Vict., Cap. 56, Sec. 94; 12 & 13 Vict., Cap. 70.
*County of^a } Be it remembered, that on — day
to wit. } of — in the year of our Lord One
Thousand Eight Hundred and —, Complaint in writing
was made before^b — a Justice of the Peace for the
County of — by^c — Auditor of the — Union
formed under the Acts for the relief of the Destitute
Poor in Ireland, for that^d — Now at this Day, to wit,
on the — day of — One Thousand Eight Hundred
and —, at — the said^e — [appear before us Two
of Her Majesty's Justices of the Peace, in and for said
County, or the said^e — appears before us the said
Justices, but the said^f — although duly called doth not
appear by himself, his Counsel, or Attorney, and it is
now satisfactorily proved to us, on oath, that the said
— has been duly served with the Summons in this be-
half which required him to be and appear here at this day,
before such two of the Justices of the Peace for the said
County, as should now be here to answer the said Com-
plaint, and to be further dealt with according to Law;]
and now having heard the matter of the said Complaint,
we do adjudge the said^f — to pay to^g — to or for
the use of the said Union, the Sum of £ — forthwith;
and also to pay to the said^e — the Sum of £ — for
his Costs in this behalf. And if the said several Sums be
not paid forthwith, or on or before the — Day of —
next, [we hereby order the said Sum to be levied by
Distress and Sale of the Goods and Chattels of the said^f
— and in default of sufficient Distress in that behalf we
adjudge; or where the issuing of a Distress Warrant would
be ruinous to the Defendant or his family, or it appears that
he has no Goods whereon to levy a Distress, then, instead of
the words after the bracket, say, then inasmuch as it hath
now been made to appear to us that the issuing of a War-
rant of Distress in this behalf would be ruinous to the said^f
— and his family, we adjudge; or, that the said^f — hath
no Goods or Chattels whereon to levy the said Sums by
Distress, we adjudge] the said^f — to be imprisoned in
— at — in the said County, for the term of — un-*

less the said several Sums, and all Costs and Charges of the said Distress and of the Commitment and Conveying of the said — to the said — shall be sooner paid.

FORMS.

No. 56.

Order of
Justices
on Complaint
by Auditor.

Given under our Hands and Seals, this — day of
— in the year of Our Lord One Thousand Eight
Hundred and — at — in the County of —

—, J. P. (Seal.)

—, J. P. (Seal.)

No. 57.—Warrant to Distrain on foregoing Order.
1 & 2 Vict., Cap. 56, Sec. 94; 12 & 13 Vict., Cap. 70.

No. 57.

Warrant to
Distrain on
foregoing
Order.

To the Constables of —, or any of them, and to all
other Peace Officers in the County of —.

County of^a
to wit.

} WHEREAS on the^b — day of —

made before^c —, one of her Majesty's Justices of the

Peace in and for the said County, by^d —, Auditor of

the — Union formed under the Acts for the Relief of

the Destitute Poor in Ireland, for that^e — And after-

wards, to wit on the — Day of — One Thousand

Eight Hundred and —, the said [parties appeared be-

fore us at — or the said^d — appeared before us at

— but the said^f — although called, did not appear,]

and the matter of the said complaint having been then

and there considered, We adjudged the said^f — to pay

to^g — to or for the use of the said Union, the Sum of

£ — forthwith, or on or before the — Day of —

then next, and also to pay to the said^d — the Sum of

£ — for his Costs in that behalf, and We thereby or-

dered that if the said several Sums should not be paid

forthwith or on or before the — Day of — then next,

the same should be levied by Distress and Sale of the

Goods and Chattels of the said^f — and it was adjudged

that, in default of sufficient Distress in that behalf the

said^f — should be imprisoned in the — at — in the

said County — for the term of — unless the said se-

veral Sums and the Costs of said Distress, and of the

commitment and conveying of the said^f — to the said

— should be sooner paid. And Whereas the time ap-

pointed in and by the said Order for the Payment of the

said several Sums of £ — and £ — hath elapsed,

but the said^f — hath not paid the same or any part

thereof, but therein hath made default. These are

therefore to command you, in Her Majesty's name, forth-

with to make distress of the Goods and Chattels of the

said^f — and if within the space of — days after the

making of such Distress, the said last-mentioned Sums,

together with the reasonable Charges of taking and keep-

ing the said Distress shall not be paid, that then you do

Sell the said Goods and Chattels so by you distrained,

and do pay the money arising from such Sale, unto^g —

that he may pay and apply the same as by law directed,

and may render the Overplus, if any, on demand unto

^a County in
which the
subject of
complaint
has arisen.

^b Day when
Complaint
lodged.

^c Justice
who issued
Summons.

^d Name of
Auditor.

^e State as in
the Order.

^f Defendant.

^g The per-
son in whose
favour the
Order is
made.

FORMS

No. 57.

Warrant to
Distrain on
foregoing
Order.

the said ^f — and if no such Distress can be found, then that you certify the same unto us, that such proceedings may be had therein as to the Law doth appertain.

Given under our Hands and Seals this — day of —, in the Year of Our Lord One Thousand Eight Hundred and —, at —, in the County of —.

—, J. P. (Seal.)

—, J. P. (Seal.)

Endorsement
in backing
Warrant of
Distress.

Endorsement in backing Warrant of Distress to have it executed in a County or Place other than where it is issued.

County of —, } WHEREAS proof on Oath hath this
to wit. } day been made before me, one of her Majesty's Justices of the Peace in and for the said County of —, that the name of — to the within Warrant subscribed, is of the handwriting of one of the Justices of the Peace within mentioned. I do therefore authorize — who bringeth to me this Warrant, and all other Persons to whom this Warrant was originally directed, or by whom the same may be lawfully executed, and also all Constables and other Peace Officers of the said County of — to execute the same within the said County of —.

Given under my Hand this — day of — One Thousand Eight Hundred and —.

—, J. P. (Seal.)

Constable's
Return of no
Goods to
Warrant of
Distress.

Constable's Return of no Goods to Warrant of Distress, so as to procure a Warrant of Committal.

I, — Constable of — in the County of —, do hereby certify to — and — Esqrs., two of Her Majesty's Justices of the Peace for the said County, that by virtue of this Warrant I have made diligent search for the Goods and Chattels of the within mentioned —, and that I can find no sufficient Goods and Chattels of the said — whereon to levy the Sums within mentioned.

Witness my Hand this — day of — One Thousand Eight Hundred and —.

—, Constable.

No. 58.
Commitment
in case of
insufficient
Distress.
a County in
which the
subject of
complaint
has arisen.

No. 58.—Commitment in case of there being no Distress under foregoing Warrant.

1 & 2 Vict., Cap. 56, Sec. 94; 12 & 13 Vict., Cap. 70.

To the Constables of —, or any of them, and to the Keeper of the — at —, in the said County of —.

County of —, } WHEREAS, on the^b — day of —
to wit. } last, a Complaint in writing was made before^c — a Justice of the Peace for said County, by^d — Auditor of the — Union formed under the Acts for

Day when
Complaint
lodged,

the Relief of the Destitute Poor in Ireland, for that ——— FORMS.
 And the said ^r ——— having been duly summoned to an- No. 58.
 swer said Complaint, afterwards, to wit on the ——— day Commitment
 of ——— One Thousand Eight Hundred and ———, [the said in case of
 Parties appeared before us at ———, or ——— appeared be- insufficient
 fore us at ———, but the said ——— although called did not Distress.
 appear]; and the matter of the said Complaint having ^c Justice
 been then and there considered, We adjudged the said ^f who issued
 ——— to pay to ^g ——— to or for the use of the said Union Summons.
 the said Sum of £ ——— forthwith, or on or before the ^d Name of
 ——— day of ——— then next. And also to pay to the said Auditor.
 ——— the sum of £ ——— for his Costs in that behalf; and ^e State as in
 we thereby ordered that if the said several Sums should the Order.
 not be paid forthwith, or on or before the said ——— day ^f Defendant.
 of ——— then next, that same should be levied by Distress ^g the person
 and Sale of the Goods and Chattels of the said ——— in whose
 And we also adjudged that in default of sufficient Dis- favour the
 tress in that behalf, the said ——— should be imprisoned Order is
 in the ——— at ——— in the said County for the term of ——— made.
 unless the said several Sums, and the Costs and Charges
 of the said Distress, and of the Commitment and Con-
 veying of the said ——— to the said ——— should be sooner
 paid. And whereas, afterwards on the ——— day of ———
 in the year aforesaid, the said Justices issued a Warrant
 to the Constables of ——— or any of them, commanding
 him or them to levy the said Sums of £ ——— and £ ———,
 by Distress and Sale of the Goods and Chattels of the
 said ———. And Whereas it appears to us, as well by the
 Return of the said Constable to the said Warrant of Dis-
 tress as otherwise, that the said Constable hath made
 diligent search for the Goods and Chattels of said ———
 but that no sufficient Distress whereon to levy the Sums
 above mentioned could be found.

These are therefore to command you, the said Constables,
 or any of you, to take the said ———, and him safely convey
 to the ——— at ——— aforesaid, and there deliver him to the
 said Keeper, together with this Warrant. And we here-
 by command you, the said Keeper of the said ———, to
 receive into your custody in the said ——— the said ———,
 and him therein safely keep for the space of ———, unless
 the said several Sums, and the Costs and Charges of the
 said Distress, and of the Commitment and Conveying of
 the said ——— to the said ——— shall be sooner paid unto
 you the said Keeper. And for your so doing this shall
 be your sufficient Warrant.

Given under our Hands and Seals, this ——— day of ———
 in the Year of our Lord One Thousand Eight Hun-
 dred and ———, at ——— in the County aforesaid.

——, J. P. (Seal.)

——, J. P. (Seal.)

FORMS.

No. 59.

Indenture for apprenticing Boys to the Sea Service.

(SEAL.)

SANCTIONED BY THE BOARD OF TRADE*.

* If there are other Officers who perform the Duties of Guardians, they must execute the Indenture, and their Title should be substituted for the Words "Guardians of the Poor;" and the Words "Officers duly appointed to carry into execution the Acts for the Relief of the destitute Poor in Ireland, and having Authority as Guardians of the Poor," should be used instead.

b Or "Counties," as the Case may be.

c Here insert "Master" or "Owner," as the Case may be.

d This must be a Port in the United Kingdom.

e If this is not so, this Clause should be struck out or altered, as the Fact may be.

f This Copy or Certificate must be given by the Minister without fee. If the Entry cannot be found, or there be none, the Words in Italics must be erased, and the Words "*from such Information as it has been found possible to obtain, the Entry of his Baptism not having been found,*" substituted. The Boy must be above Twelve and under Seventeen.

g Or, if there be no Guardians of the Poor, insert these Words, "the said Officers having the Authority of Guardians of the Poor."

h This must not be less than Four or more than

No. 59.—Indenture for Apprenticeship of Boys by Boards of Guardians of Unions in Ireland to the Merchant Sea Service, under 14 & 15 Vic. c. 35 :—being the "SCHEDULE to which the foregoing Act refers*."

APPRENTICE'S INDENTURE.

THIS Indenture, made the — day of — 18—, between^a the Guardians of the Poor of the — Union in the County^b of — of the one Part, and — of — in the County of —^c — of the Ship — registered at the Port of^d — of the other Part: Whereas — a poor Boy, who is (and whose^e Parent or Parents is or are) receiving Relief in the said Union, has, of his own Freewill, consented to be bound Apprentice to the said — : And whereas, by the f Copy or Certificate hereunto annexed of the Entry of his Baptism in the Register Book of the Parish of — in the County of — it appears that he has attained the Age of — Years: And whereas — and — Two of Her Majesty's Justices of the Peace, are satisfied that the said Boy has freely consented to be bound Apprentice, and has attained the Age aforesaid, and is of sufficient Health and Strength, and do, in testimony of their being so satisfied, sign this Indenture: Now this Indenture witnesseth, that they the said Guardians of the Poor^g do hereby bind the said — Apprentice in the Sea Service to the said — his Executors and Administrators, and the Assigns of such Executors or Administrators, or of the Widow of the said — (who are herein-after termed "Master or Masters") according to the Provisions of the Statute in that Behalf, for the Term of^h — Years from the date hereof. And during such Term the said Apprentice shall faithfully serve his said Master or Masters for the Time being, and obey his and their lawful Commands, and keep his and their Secrets, and shall, when required, give to him or them true Accounts of any of his or their Goods or Money which may be committed to the Charge or come to the Hands of the said Apprentice; and shall, in case the said Apprentice enters Her Ma-

* The provisions of the act of 1851, (14 & 15 Vic. c. 35, p. 293,) referring to this Form of Indenture, have since been repealed and are superseded by the Merchant Shipping Act, 1854. This form in the schedule of the act of 1851, is also now superseded.

The Form of Indenture since prepared and sanctioned by the Board of Trade, under the act of 1854, and marked in their series "(H.) Parish Apprentice's Indenture," will be found in p. 1040. But this form, apparently intended for English Parish Apprentices, is in many particulars inapplicable to Irish Union Apprentices. The modifications requisite to adapt the form to the latter can hardly be shown on the same form; and a separate form, prepared by the Editor of this Volume, from that of the Board of Trade as far as it could be adapted, will be found in page 1042, (Form No. 61).

FORMS.

No. 59.

Seven, and must not extend beyond the Time at which the Apprentice will attain Twenty-one.

ⁱ Insert other Title, if necessary, as directed at ^g

jesty's Service during the said Term, duly account for and pay or cause to be paid to his said Master or Masters for the Time being all such Wages, Prize Money, and other monies as may become payable to the said Apprentice for such Service; and shall not, during the said Term, do any Damage to his said Master or Masters for the Time being, nor consent to any such Damage being done by others, but shall if possible prevent the same, and give his said Master or Masters Warning thereof; and shall not embezzle or waste the Goods of his said Master or Masters, nor give or lend the same to others without his or their Licence, nor absent himself from his or their Service without Leave; nor frequent Taverns or Alehouses unless upon his or their Business, nor play at unlawful Games. In consideration whereof, the said — hereby agrees with the said Guardiansⁱ and their successors, that during the said Term the said Master or Masters for the Time being will and shall teach the said Apprentice or cause him to be taught the Business of a Seaman, and provide the said Apprentice with sufficient Meat, Drink, Lodging, Washing, Medicine, and Medical and Surgical Assistance, and all other Things necessary or fit for an Apprentice; and will so provide for the said Apprentice that he be not a Charge to the said Union or any Electoral Division thereof; and will indemnify the said Union and every Electoral Division thereof against any Charge in respect of the said Apprentice during the Term of his Apprenticeship. In testimony whereof they the said Guardiansⁱ have caused their Official Seal to be hereunto annexed, and the said other Parties have hereunto affixed their Hands and Seals.

_____, } Signatures of Justices.

(L.S.) Seal of Board of Guardians.

_____, Signature of Presiding
Chairman of the Board.

_____, Clerk.

(L.S.) Seal and Signature of Master.

(L.S.) Seal and Signature of Apprentice.

Executed in my Presence, this Day of 18 .

_____, Signature of Constable or
Person employed to convey the Apprentice.

^jThis Paragraph, and the Signatures of the Guardians of the Electoral Division, to be omitted if the Affairs of the Union be administered by Vice-Guardians, or if the Boy be not chargeable to a separate Electoral Division, or if the written consent of the Guardian or Guardians of such Electoral Division have been previously obtained on a separate Document.

^kOr, "We, the Guar-

^jI, the Guardian^k of the — Electoral Di-

FORMS.

No. 59.

dians," or "We, being a Majority of the Guardians," where there are more Guardians than One for the Division.

¹ Or "our Hands," as the Case may require.

vision of the said Union, to which Electoral Division the Cost of the Relief of the said Boy has been heretofore chargeable, do hereby consent to the binding of the said — to the said — and have, in testimony thereof, hereto affixed my Hand,¹ this — day of — 18—.

—, Signatures of Guardians of Electoral Division.

Registered at the Port of — this — day of — 18—.

Signed —.

Note.—This Indenture must be executed in Triplicate, on the Day on which it bears Date, in the presence of the Constable or Person employed to convey the Apprentice, and One Counterpart is to be kept by the Guardians, One by the Master, and One delivered or forwarded, if the Indenture is executed in London, to the Registrar of Seamen, and if in the Outports, to the Collector or Controller of Customs. Wherever procurable, a Copy or Certificate of the Entry of Baptism of the Apprentice in the Register thereof is to be annexed to the Indenture.

No. 60.

SANCTIONED
BY THE BOARD
OF TRADE,
MAY, 1855.

IN PURSUANCE OF
17 & 18 VIC. c. 104.

No. 60.—Board of Trade's Form* of Indenture for Apprenticeship of Boys receiving Relief, to the Merchant Sea Service, under the Merchant Shipping Act, 1854,—17 & 18 Vic. c. 104, § 141–145.†

(H.) PARISH APPRENTICE'S INDENTURE.

THIS INDENTURE, made the — day of — 18—, between — ^aOverseers of the Poor — of the ^bParish of —, in the — Division of —, in the County of —, of the One Part, and —, of — in the County of —, ^c— of the Ship —, registered at the Port of ^d— and numbered —, of the other Part: WHEREAS —, a poor Boy, who is (and whose ^eParents are) chargeable to, and maintained by the said Parish, has, of his own free will, consented to be bound Apprentice to the said —; AND WHEREAS, by the ^fCopy hereunto annexed of the entry of his Baptism in the Register Book of the Parish of — in the County of —, it appears that he has attained the Age of — Years. AND WHEREAS — and —, Two of Her Majesty's Justices of the Peace, are satisfied that the said Boy has freely consented to be bound Apprentice, and has attained the Age aforesaid, and is of sufficient Health and Strength, and that the said — is a proper person to whom to bind the said Boy, and have, in testimony of their being so satisfied, signed this Indenture: Now THIS INDENTURE WITNESSETH, that they, the said Overseers of the Poor, do hereby bind the said —

^a If there are other Officers who perform the duties of Overseers, they must execute the Indenture, and their title should be substituted for the words "Overseers of the Poor."

^b The proper title of any district separately maintaining its own poor may be substituted for the word "Parish."

^c Here insert "Master" or "Owner," as the case may be.

^d This must be a Port in the United Kingdom.

^e If this is not so, it should be struck out.

^f This copy must be given by the

* See note in p. 1033: and Form by the Editor, No. 61, p. 1042.

† Page 300.

FORMS.

No. 50.

Minister without Fee. If the entry cannot be found, the words in Italics must be erased, and the words "*from such information as it has been found possible to obtain, the entry of his Baptism not having been found*" substituted. The Boy must be above Twelve and under Seventeen.

⁵ This must not be less than Four or more than Seven; and must not extend beyond the time at which the Apprentice will attain Twenty-one.

^h Insert other title if necessary.

Apprentice, in the Sea Service, to the said —, his Executors and Administrators, and the Assigns of such Executors or Administrators, or of the Widow of the said — (who are hereinafter termed "Master or Masters,") according to the provisions of the Statute in that behalf, for the Term of ⁵ — Years from the date hereof. And during such Term, the said Apprentice shall faithfully serve his said Master or Masters for the time being, and obey his and their lawful Commands, and keep his and their Secrets, and shall, when required, give to him or them true Accounts of any of his or their Goods or Money which may be committed to the charge or come to the hands of the said Apprentice; And shall, in case the said Apprentice enters Her Majesty's service, during the said Term, duly account for and pay or cause to be paid, to his said Master or Masters for the time being, all such Wages, Prize Money, and other Moneys, as may become payable to the said Apprentice for such service: And shall not, during the said Term, do any damage to his said Master or Masters for the time being, nor consent to any such damage being done by others, but shall if possible prevent the same, and give his said Master or Masters warning thereof; and shall not embezzle or waste the Goods of his said Master or Masters, nor give or lend the same to others without his or their licence, nor absent himself from his or their Service without leave; nor frequent Taverns or Alehouses, unless upon his or their Business; nor play at Unlawful Games. IN CONSIDERATION WHEREOF, the said — hereby agrees with the said Overseers^h and their Successors, that during the said Term, the said Master or Masters for the time being will and shall teach the said Apprentice, or cause him to be taught, the business of a Seaman, and provide the said Apprentice with sufficient Meat, Drink, Lodging, Washing, Medicine, and Medical and Surgical Assistance, and all other things necessary or fit for an Apprentice; and so provide for the said Apprentice, that he be not a Charge to the said Parish, and indemnify the said Parish against any charge in respect of the said Apprentice during the Term of his Apprenticeship.

— } Signature of Justices.

(L.S.) — } Seal and Signature of Overseers.

(L.S.) — Seal and Signature of Master.

(L.S.) — Seal and Signature of Apprentice.

ⁱ These words must be adapted to the circumstances of the case.

WE, the 'Guardians of the — Union, within which the said Parish of — is included, consent to the binding of the said — to the said —, and

have, in testimony thereof, caused our Official Seal to be hereunto annexed at a meeting of the Board this — day of — 18—.

Seal — Signature of Presiding Chairman.
(L.S.) — Clerk.
of Board.

Executed in my presence, this — day of — 18—.

— Signature of Constable or person
employed to convey the Apprentice.

Registered at the Port of —, this — day of — 18 —.

Signed, —.

Note.— *This Indenture must be executed in Duplicate; both copies must be taken to the Registrar-General of Seamen; or, if in the Outports, to some Shipping Master: one copy will then be retained and recorded, and the other returned to the Master with the necessary endorsement.*

No. 61.

INSTRUCTIONS.

[This Indenture must be executed in Duplicate. Both Copies must be taken to the Registrar-General of Seamen in London, or if at an Outport to some Shipping Master, within Seven Days after such Execution. One Copy will then be retained and recorded, and the other returned to the Master with the necessary Endorsement.]

^a Insert Name of Union in Ireland, by the Guardians of which the Boy is apprenticed. The Persons acting as a Board of Guardians, or Paid Officers appointed as Vice-Guardians, may be described by their Corporate Title here used, in conformity with § 27 of the Irish Poor Relief Act, 1 & 2 Vic., c. 56, and § 144 (1.) (4), of the Merchant Shipping Act, 1854.

^b “County” or “Counties” in which the Union is situate, naming it or them.

^c Name (in full) of Owner or Master of Ship, to whom the Boy is to be apprenticed.

^d Place of Abode, if any, in the United Kingdom.

^e Insert “Master” or “Owner,” as the case may be.

^f Insert Name of Ship.

^g The Port at which the Ship is registered, to be here named, must be a Port in the United Kingdom.

^h Number of Ship in Register.

ⁱ Insert Name (in full) of the Boy who is to be bound Apprentice.

^j Insert the Words “who is,” or “whose Parents are,” or “whose

No. 61.—Editor’s Form* of Indenture for Apprenticeship of Boys by Boards of Guardians of Unions in Ireland, to the Merchant Sea Service, under the Merchant Shipping Act, 1854,—17 & 18 Vic. c. 104, § 141–145.†

(H*).—APPRENTICE’S INDENTURE :—
UNION FORM (IRELAND).

IN PURSUANCE OF 17 & 18 VIC. c. 104.

INDENTURE, made the — Day of — in the Year 18—, between the Guardians of the Poor of the ^a— Union, in the ^b Count— of —, of the One Part; and ^c— of ^d— in the County of —, ^e— of the Ship ^f—, registered at the Port of ^g— in the United Kingdom of Great Britain and Ireland and numbered ^h—, of the other Part:—WHEREAS ⁱ— a Poor Boy ^j— receiving Relief in such Union and chargeable to the ^k— has of his own free Will consented to be bound Apprentice to the said ^c—: AND WHEREAS it appears from ^l— that the said ⁱ— has attained the Age of ^m— Years: AND WHEREAS — and —, Two of Her Majesty’s Justices of the Peace, are satisfied that the said Boy has freely consented to be bound Apprentice, and has attained the Age

FORMS.

No. 61.

Parent is," or "*who and whose Parents* (or *Parent*, if there be only One surviving and in receipt of Relief) *are,*" according to the circumstances of the case.

* Insert "*said Union,*" if relieved at the charge of the Union at large; or "*Electoral Division of —, in the said Union,*" if at the charge of an Electoral Division.

¹ Insert "*the annexed Certificate of registry of his Baptism,*" if forthcoming, and annex the same to the Indenture accordingly; or if not, insert the Words "*such Information as it has been possible to obtain, no registry of his Birth or Baptism having been found.*"

^m The Boy must have attained the Age of Twelve.

ⁿ The Term of Years must not extend beyond the Time at which the Apprentice will attain the Age of Twenty-one Years.

aforesaid, and is of sufficient Health and Strength, and that the said^c — is a proper Person to whom to bind the said Boy; and have in testimony of their being so satisfied, signed this Indenture. NOW THIS INDENTURE WITNESSETH that they, the said Guardians of the Poor of the^a — Union do hereby bind the saidⁱ — Apprentice, in the Sea Service, to the said^c —, his Executors, Administrators, and the Assigns of such Executors or Administrators, or of his Widow, (who are hereinafter termed "Master or Masters,") according to the Provisions of the Statute in that behalf, for the Term of ⁿ — Years from the Date hereof. And during such Term, the said Apprentice shall faithfully serve his said Master or Masters for the Time being, and obey his and their lawful Commands, and keep his and their Secrets; and shall, when required, give to him or them true Accounts of any of his or their Goods or Money which may be committed to the Charge or come to the Hands of the said Apprentice: And shall, in case the said Apprentice enters Her Majesty's Service during the said Term, duly account for and pay or cause to be paid to his said Master or Masters for the Time being, all such Wages, Prize Money, and other Moneys, as may become payable to the said Apprentice for such Service during the said Term: And shall not do any Damage to his said Master or Masters for the Time being, nor consent to any such Damage being done by others, but shall, if possible, prevent the same, and give his Master or Masters Warning thereof; and shall not embezzle or waste the Goods of his said Master or Masters, nor give or lend the same to others without his or their Licence, nor absent himself from his or their Service without leave; nor frequent Taverns or Ale-houses, unless upon his or their Business; nor play at unlawful Games. IN CONSIDERATION WHEREOF, the said^c — hereby agrees with the said Guardians and their Successors, that during the said Term, the said Master or Masters for the Time being will and shall teach the said Apprentice, or cause him to be taught, the business of a Seaman, and provide the said Apprentice with

o To be signed by Three Guardians (of whom the Presiding Chairman should be One) present at the Meeting of Guardians at which the Indenture is executed; and countersigned by the Clerk of the Union (§ 28 of 1 & 2 Vic. c. 56). But in case the affairs of the Union be administered by Vice-Guardians, the description "*Signatures of Vice-Guardians*" can be used, and the Words "*Paid Officers duly appointed to carry into execution the Acts for the Relief of the Destitute Poor in Ireland and having the authority of Guardians of the Poor in the said Union*" can be substituted after their Signatures, instead of the words printed.

p Where the Boy is relieved at the cost of an Electoral Division, this Clause is to be filled up and signed by the Guardian or a majority of the Guardians of the Electoral Division to which his Relief is chargeable. The expressions to be used at the commencement of the Clause will vary according to the number of Guardians for the Division; as, "*I, the Guardian,*" or "*We, the Guardians,*" where there are Two or more and all sign it; or, "*We, being a majority of the Guardians,*" where a majority only (which is sufficient) of the Guardians of the Electoral Division, sign it.

If the affairs of the Union be administered by Paid Officers *vice* Guardians, then this Consent is not necessary, although the Boy may be chargeable to an Electoral Division; and in this case, as well as in the case of a Boy chargeable to the Union at large, the clause may be struck out, or altogether cut off from the Form.

q Name the Electoral Division.

r "*I,*" or "*We,*" as the case may be: see Instruction p.

s "*My Signature,*" or "*Our Signatures.*"

sufficient Meat, Drink, Lodging, Washing, Medicine, and Medical and Surgical Attendance, and all other Things necessary or fit for an Apprentice; And will so provide for the said Apprentice, that he be not a Charge to the said Union or any Electoral Division therein; and will indemnify the said Guardians and their Successors against any charge in respect of the said Apprentice, during the Term of his Apprenticeship. IN TESTIMONY WHEREOF, the said Guardians have caused their Official Seal to be hereto annexed, and the said other Parties have hereunto set their Hands and Seals.

Signatures of Justices.

_____, (L.S.)
_____, (L.S.)

Signatures of Guardians^o.

_____, *Presiding Chairman.*
_____, } *Two other Guar-*
_____, } *dians present.*
_____, *Clerk of Union.*

Signature and Seal of Master.

_____, (L.S.)

_____, *Signature of Apprentice*.*

Executed in my presence, this ____
Day of _____, 18__.

_____, *Signature of Constable or Person employed to convey the Apprentice to the Port or Place of Abode of the Master.*

p _____ of the _____ Electoral Division, to which the said _____ is chargeable, in the said Union, have consented to the binding of the said _____ according to this Indenture; in testimony whereof _____ have hereunto affixed^s _____ this _____ Day of _____ 18__.

_____, *Signature of Guardian or Guardians of the Electoral Division.*

Registered^t at the Port of _____, this _____ Day of _____, 18__.

(Signed) _____, *Shipping Master*, [or _____, *the Officer acting as such, as the case may be.*]

* In the event of the Indenture being at any Time assigned to another Master, the Assignment is to be registered in like manner: the Indenture and Assignment thereof are to be produced to the Shipping Master, and the Name of the Port at which it shall have been registered, with the other Particulars required by § 145 of the Merchant Shipping Act, 1854, are to be entered on the Ship's Agreement.

* The Board of Trade's Form (No. 60,) requires also the *Seal* of the poor boy apprenticed.

FORMS FOR PROCEEDINGS UNDER NUISANCES REMOVAL
AND DISEASES PREVENTION ACTS.

No. 62.

(No. 1 A.)—Certificate of Medical or Relieving
Officer, under § 6 of the Nuisances Removal
and Diseases Prevention Amendment Act, 1849,
(12 & 13 Vic. c. 111.*)

Such Portions only of the following Form or Words therein should be filled up or used, as apply to the particular Nuisance intended to be certified and represented in each Case,—that is to say, the Portions numbered 1, 2, 3, respectively, or the Words thereof which are applicable, which may be used so as to adapt the Form of Certificate to the particular circumstances of the Case; and *all the other Portions of the Form not relating to the particular Subject of Complaint, should be struck out or omitted*: thus, if the Passage numbered 1 be applicable and be used, the other Passages numbered 2 and 3, should be struck out; or if any of the latter Passages be used, the Words thereof which may not be applicable to the particular Nuisance intended to be complained of, should be struck out. The terms of the Act should be adhered to as nearly as practicable, as in this Form; but it will be observed, that there is a special provision in § 20 of 11 & 12 Vic. c. 123, (applicable also under § 1 of the Amendment Act, 12 & 13 Vic. c. 111, to proceedings under the latter act,) that “no Order, nor any other Proceeding, Matter, or Thing done or transacted in or relating to the Execution of this Act, shall be vacated, quashed, or set aside, for want of Form, or be removed or removable by Certiorari or other Writ or Process whatsoever, into any of the Superior Courts.” The 19th section of the former act further provides that “Wherever in any proceeding under this Act, it shall become necessary to mention or refer to the Owner or Occupier of any Premises, it shall be sufficient to designate him as the Owner or Occupier of such Premises, without Name or further Description:” but it will be desirable, wherever practicable, to state in this Certificate the Name of the Occupier or Owner of the Premises.

NUISANCES
REMOVAL
FORMS.

No. 62.

a *Insert
Name.*

b *Insert the
Word Medi-
cal or Reliev-
ing, as the
case may be.*

c *Dwelling-
house, Build-
ing Yard, or
other Pre-
mises as the
case may be.
Such Des-
cription
should be
given as may
be sufficient
to identify
the Premises.*

See above c.

See above c.

— UNION. — ELECTORAL DIVISION.

To the Guardians of the Poor of the — Union, in
the Count— of —.

I, ^a — ^{ab} — Officer of the — Union, do hereby
certify, that to the best of my knowledge and belief,

1. { ^{A^c} — situate at No. — in —, is in such a filthy
and unwholesome Condition as to be a Nuisance to,
and injurious to the Health of, the Occupiers thereof
and of the adjoining Premises:

2. { Upon certain Premises situate at — there is a foul
and offensive Drain, Ditch, Gutter, Privy, Cesspool,
or Ashpit, or a Drain, Ditch, Gutter, Privy, Cess-
pool, or Ashpit kept or constructed so as to be a
Nuisance to, and injurious to the Health of, the Oc-
cupiers of the said or adjoining Premises:

3. { Upon certain Premises situate at — Swine, an ac-
cumulation of Dung, Manure, Offal, Filth, Refuse,
or Matter, are or is kept, so as to be a Nuisance to,
or injurious to the Health of, the Occupiers of the
said or adjoining Premises, or the Health of Persons
living in the Neighbourhood:

NUISANCES
REMOVAL
FORMS.

No. 62.

And I hereby certify the same to you, in order that you may cause such Proceedings to be taken as are directed in this behalf by the "Nuisances Removal and Diseases Prevention Act, 1848," and the "Nuisances Removal and Diseases Prevention Amendment Act, 1849."

Dated this — Day of — 185-.

(Signed) —, ^b — Officer.

No. 63.

No. 63.

(No. 1 B.)—Certificate of Two Constables under § 6 of the Nuisances Removal and Diseases Prevention Amendment Act, 1849 (12 & 13 Vic. c. 111.*)

Such Portions only of the following Form or Words therein should be filled up or used, as apply to the particular Nuisance intended to be certified and represented in each case,—that is to say, the portions numbered 1, 2, 3, respectively, or the words thereof which are applicable, which may be used so as to adapt the Form of Certificate to the particular circumstances of the Case; and *all the other Portions of the Form not relating to the particular Subject of Complaint should be struck out or omitted*: thus, if the Passage numbered 1 be applicable and be used, the other Passages numbered 2 and 3, should be struck out; or if any of the latter Passages be used, the Words thereof which may not be applicable to the particular Nuisance intended to be complained of, should be struck out. The terms of the act should be adhered to as nearly as practicable, as in this Form; but it will be observed, that there is a special provision in § 20 of 11 & 12 Vic., c. 123, (applicable also under § 1 of the Amendment Act, 12 & 13 Vic., c. 111, to proceedings under the latter act,) that "no Order, nor any other Proceeding, Matter, or Thing done or transacted in or relating to the Execution of this Act, shall be vacated, quashed, or set aside, for Want of Form, or be removed or removable by Certiorari or other Writ or Process whatsoever, into any of the Superior Courts." The 19th section of the former act further provides that "Wherever in any Proceeding under this Act, it shall become necessary to mention or refer to the Owner or Occupier of any Premises, it shall be sufficient to designate him as the Owner or Occupier of such Premises, without Name or further Description:" but it will be desirable, wherever practicable, to state in this Certificate the Name of the Occupier or Owner of the Premises.

— UNION.

— ELECTORAL DIVISION.

To the Guardians of the Poor of the — Union, in the Count— of —.

^a Dwelling-house, Building, Yard, or other Premises, as the case may be. Such Description should be given as may be sufficient to identify the Premises.

See above ^a.

We, the undersigned Constables of the Constabulary Force, stationed at — within said Union, do hereby certify, that, to the best of our knowledge and belief,

1. { ^A — situate at No. — in —, is in such a filthy and unwholesome condition as to be a Nuisance to, and injurious to the Health of, the Occupiers thereof and of the adjoining Premises:

2. { Upon certain Premises situate at — there is a foul and offensive Drain, Ditch, Gutter, Privy, Cesspool, or Ashpit, or a Drain, Ditch, Gutter, Privy, Cesspool, or Ashpit kept or constructed so as to be a Nuisance to, and injurious to the Health of, the Occupiers of the said or adjoining Premises:

3. { Upon certain Premises situate at — Swine, an accumulation of Dung, Manure, Offal, Filth, Refuse, or Matter, are or is kept, so as to be a Nuisance to, or injurious to the Health of, the Occupiers of the said or adjoining Premises, or the Health of Persons living in the Neighbourhood :

NUISANCES
REMOVAL
FORMS.

No. 63.

See above ^a.

And we hereby certify the same to you in order that you may cause such Proceedings to be taken as are directed in this behalf by the “Nuisances Removal and Diseases Prevention Act, 1848,” and the “Nuisances Removal and Diseases Prevention Amendment Act, 1849.”

Dated this — Day of — 185—.

(Signed,) —, *Constable.*

—, *Sub-Constable.*

No. 64.

No. 64.

(No. 1 C.)—Notice by Two Householders, under § 1 of the Nuisances Removal and Diseases Prevention Act, 1848 (11 & 12 Vic. c. 123*).

Such Portions only of the following Form or Words therein should be filled up or used, as apply to the particular Nuisance intended to be certified and represented in each Case,—that is to say, the Portions numbered 1, 2, 3, respectively, or the Words thereof which are applicable, which may be used so as to adapt the Form of Certificate to the particular circumstances of the Case; and *all the other portions* of the Form *not relating to the particular Subject of Complaint*, should be struck out or omitted: thus, if the Passage numbered 1 be applicable and be used, the other Passages numbered 2 and 3, should be struck out; or if any of the latter Passages be used, the Words thereof which may not be applicable to the particular Nuisance intended to be complained of, should be struck out. The terms of the act should be adhered to as nearly as practicable, as in this Form; but, it will be observed, that there is a special provision in § 20 of 11 & 12 Vic., c. 123, (applicable also under § 1 of the Amendment Act, 12 & 13 Vic., c. 111, to proceedings under the latter act,) that “no Order, nor any other Proceeding, Matter, or Thing done or transacted in or relating to the Execution of this Act, shall be vacated, quashed, or set aside, for Want of Form, or be removed or removable by Certiorari or other Writ or Process whatsoever, into any of the Superior Courts.” The 19th section of the former act further provides that “Wherever in any Proceeding under this Act, it shall become necessary to mention or refer to the Owner or Occupier of any Premises, it shall be sufficient to designate him as the Owner or Occupier of such Premises, without Name or further Description:” but it will be desirable, wherever practicable, to state in this Notice the Name of the Occupier or Owner of the Premises.

— UNION.

— ELECTORAL DIVISION.

To the Guardians of the Poor of the — Union, in the Count— of —.

We, the undersigned^a — and^a —, inhabitant Household-^a holders in the^b — in the Union aforesaid, do hereby certify, that to the best of our knowledge and belief,

^a Names of Household-
holders signing the
Notice.

* App., p. 1086.

NUISANCES
REMOVAL
FORMS.

No. 64.

^b Parish or
City or Town
of

^c Dwelling-
house, Build-
ing, Yard, or
other Pre-
mises as the
case may be.
Such Des-
cription
should be
given as may
be sufficient
to identify
the Premises.

1. { A^c — situate at No. — in — in said^b — is in
such a filthy and unwholesome condition as to be a
Nuisance to, and injurious to the Health of, the Oc-
cupiers thereof and of the adjoining Premises:

2. { Upon certain Premises situate at — there is a foul
and offensive Drain, Ditch, Gutter, Privy, Cesspool,
or Ashpit, or a Drain, Ditch, Gutter, Privy, Cess-
pool, or Ashpit kept or constructed so as to be a
Nuisance to, and injurious to the Health of, the Oc-
cupiers of the said or adjoining Premises:

3. { Upon certain Premises situate at — Swine, an ac-
cumulation of Dung, Manure, Offal, Filth, Refuse,
or Matter, are or is kept, so as to be a Nuisance to,
or injurious to the Health of, the Occupiers of the
said or adjoining Premises, or the Health of Persons
living in the Neighbourhood:

And we hereby require that you will cause such Pro-
ceedings to be taken as are directed in this behalf by the
“Nuisances Removal and Diseases Prevention Act, 1848,”
and the “Nuisances Removal and Diseases Prevention
Amendment Act, 1849.”

Dated this — Day of — 185—.

(Signed,)

—, residing at —.
—, residing at —.

No. 65.

(No. 2.)—Notice to Owner or Occupier, before proceeding by Summons.

To the^a — of the^b — situate at —.

Take Notice, that pursuant to the Provisions of the Nuisances Removal and Diseases Prevention Acts, 11 & 12 Vic. c. 123, and 12 & 13 Vic. c. 111,^c

^c Insert the Words

“ It has been certified that^d

Now you are hereby required to remove the cause of Complaint above set forth; and in case of your neglecting to do so, you will be proceeded against in manner provided in the said Acts, and you will, on Conviction, be liable to a Penalty of Ten Shillings a Day, until the Nuisance is got rid of. And take Notice that after the expiration of Twenty-four Hours from the service of this Notice, the Guardians of — Union will cause the said Premises to be entered and examined after the expiration of that Time from the service of this Notice, under the Provisions of the said Acts, and if the Grounds of Complaint are found still existing, a formal Complaint will be made to the Justices for enforcing the removal of the same, and for recovery of the Costs and Penalties that may be incurred.

Dated this — Day of 185—.

or Notice of House-

On the Second Day after service of the above Notice, (a Copy of which should be retained,) the Premises should be entered and examined; and if the ground of Complaint have not been removed, Complaint should be made to a Justice of the Peace, and application made for a Summons, to be served in manner provided in the Act, 11 & 12 Vic. c. 123, § 1.

(No. 2.)—Notice to Owner or Occupier, before proceeding by Summons.

To the — of the — situate at —.

Take Notice, that pursuant to the Provisions of the Nuisances Removal and Diseases Prevention Acts, 11 & 12 Vic. c. 123, and 12 & 13 Vic. c. 111,

that

Now you are hereby required to remove the cause of Complaint above set forth; and in case of your neglecting to do so, you will be proceeded against in manner provided in the said Acts, and you will, on Conviction, be liable to a Penalty of Ten Shillings a Day, until the Nuisance is got rid of. And take Notice that after the expiration of Twenty-four Hours from the service of this Notice, the Guardians of — Union will cause the said Premises to be entered and examined after the expiration of that Time from the service of this Notice, under the Provisions of the said Acts, and if the Grounds of Complaint are found still existing, a formal Complaint will be made to the Justices for enforcing the removal of the same, and for recovery of the Costs and Penalties that may be incurred.

Dated this — Day of —, 185—.

No. 66.

a Insert sufficient (No. 3.)—Notice to Occupier, previous to Removal of Nuisance by the Guardians.

To the Occupier of the Premises situate at^a—.

Take Notice, that pursuant to the Provisions of the Nuisances Removal and Diseases Prevention Acts, 11 & 12 Vic. c. 123, and 12 & 13 Vic. c. 111,^b

— Union” if a Certificate has been received from a Medical Officer, or Relieving Officer,

or from Two Constables, under § 6 of the Act of 1849; or the Words “A Notice has been received by the Guardians of — Union,” if a Notice has been received from Two Inhabitant Householders, under § 1 of the Act of 1848.

Now you are hereby required to remove the said cause of Complaint; and in case of your neglecting to do so, you will, on Conviction, be liable to a Penalty not exceeding Five Pounds for violating the Directions and Regulations issued in pursuance of the said Acts. And take Notice that after the expiration of Twenty-four Hours from the service of this Notice, the Guardians of — Union will cause the said Premises to be entered and examined under the Provisions of said Acts, and if the grounds of Complaint are found still existing, they will proceed as the case may require.

Dated this — Day of — 185—.

(Signed,)

On the expiration of Twenty-four Hours after the service of the above Notice, (a Copy of which should be retained,) the Premises should be entered and examined; and if the ground of Complaint have not been removed, the Guardians should cause the same to be removed.

(No. 3.)—Notice to Occupier, previous to Removal of Nuisance by the Guardians.

To the Occupier of the Premises situate at —.

Take Notice, that pursuant to the Provisions of the Nuisances Removal and Diseases Prevention Acts, 11 & 12 Vic. c. 123, and 12 & 13 Vic. c. 111.

that

Now you are hereby required to remove the said cause of Complaint; and in case of your neglecting to do so, you will, on Conviction, be liable to a Penalty not exceeding Five Pounds for violating the Directions and Regulations issued in pursuance of the said Acts. And take Notice that after the expiration of Twenty-four Hours from the service of this Notice, the Guardians of — Union will cause the said Premises to be entered and examined under the Provisions of said Acts, and if the grounds of Complaint are found still existing, they will proceed as the case may require.

Dated this — Day of — 185—.

(Signed,)

No. 67.—Order to permit Execution of Works by Owner, in pursuance of the Nuisances Removal and Diseases Prevention Act, 1848; 11 & 12 Vic. c. 123, § 16*.

NUISANCES
REMOVAL
FORMS.

No. 67.

County of [or] WHEREAS Complaint hath been
Borough, or Burgh, } made to me E. F., Esquire, One of
or Metropolitan } Her Majesty's Justices of the Peace
Police District, or } in and for the County [or Borough,
as the case may be,] } &c.] of [or One of the Magistrates
to wit. } of the Police Courts of the Metropolis,
or as the case may be,] by A. B., Owner within the meaning of the "Nuisances Removal and Diseases Prevention Act, 1848," of certain Premises, to wit, a Dwelling-house, [or Building, or as the case may be,] situate [insert such a description of the Premises as may be sufficient to identify them,] in the Parish of — in the said County [or Borough, &c.,] that C. D., the Occupier of the said Premises, doth prevent the said A. B. from obeying and carrying into effect the Provisions of the said Act, in this, to wit, that he the said C. D. doth prevent the said A. B. from [here describe the Works generally according to the circumstances; for instance, thus: cleansing, or whitewashing, or purifying the said Dwelling-house, [or Building,] or cleansing a foul and offensive Drain [Ditch, Gutter, Privy, Cesspool, or Ashpit,] which exists upon the said Premises, or as the case may require:] and Whereas the said C. D. having been summoned to answer the said Complaint, and not having shown sufficient Cause against the same, and it appearing to me that the said Works are necessary for the purpose of enabling the said A. B. to obey and carry into effect the Provisions of the said Act, I do hereby order that the said C. D. do permit the said A. B. to execute the same in the manner required by the said Act.

Given under my Hand and Seal, this — Day of —
in the Year of our Lord One Thousand Eight Hundred and —.

E. F. (L.S.)

PART V.—TABLES OF UNIONS
IN IRELAND,
AND
LIST OF DISPENSARY DISTRICTS:
SHOWING THE
POPULATION, AREA, AND VALUATION OF EACH UNION,
IN
COUNTIES AND PROVINCES;
NUMBER OF ELECTORAL DIVISIONS, WARDS, AND DISTRICTS;
NUMBER AND QUALIFICATION OF GUARDIANS;
DATES OF FORMATION OF UNIONS AND DISPENSARY DISTRICTS;
NUMBER OF DISPENSARY DISTRICTS, DISPENSARIES,
MEDICAL OFFICERS, &c.

June, 1857.

TABLES.

	PAGE
No. 1.—TABLE of UNIONS, in Counties and Provinces :—showing the Date of Declaration of each Union ; Population, Area, and Valuation ; Number of Electoral Divisions, Wards, and Districts ; Number and Qualification of Guardians ; Number and Date of formation of Dispensary Districts ; Number of Dispensaries, Medical Officers, &c.,	1055
Summary for each Province, and for Ireland,	1064
No. 2.—INDEX LIST of UNIONS ; with Names of Counties in which they are situate, and reference to foregoing Table for each Union,	1065
No. 3.—ALPHABETICAL LIST of DISPENSARY DISTRICTS ; with Names of Unions in which situate,	1068

NOTES ON THE TABLE, No. 1.

* The names marked with an asterisk (*), in Column 1, are the names of Marriage Registration Districts, under 7 & 8 Vic. c. 81. Those Districts were coterminous with the Poor Law Unions, which were adopted as Districts for the purposes of that Act, as they existed in 1846 ; but since the alterations of Boundaries of Unions, the Districts are no longer identical with the Unions, (except in a few cases,) though still retaining the same names.

COLUMN 1.—The Unions are classed under the Counties in which the Workhouse, or central town or place which gives the name to the Union, is situate.

Where a Union includes portions of more than one County, the several Counties into which it extends are shown in Table 2.

COLUMN 2.—Where two dates are mentioned in reference to any Union, the first date is that of the original declaration of the Union : the second date is that of the alteration of Boundaries or the formation of new Unions.

COLUMN 7.—In the Unions indicated in this Column, the central Electoral Division or town has been subdivided into Wards, under 2 Vic. c. 1, § 2 ; and the number of such wards is shown by the figures in the column.

COLUMN 8.—In the Unions indicated in this Column, some of the Electoral Divisions have been combined into a district for the Election of one Guardian, under 12 & 13 Vic. c. 104, § 8. The figures in this Column show the number of such Combinations or Election Districts formed in each Union.

COLUMN 10.—Under § 16 of 10 Vic. c. 31, the respective Boards may be composed of double the number of elective Guardians, where the number of qualified Justices equals or exceeds the number of elective Guardians ; and the number of qualified Justices may vary from time to time, but not so as to exceed the number of elective Guardians. The numbers given in the Table are the actual numbers according to the last returns.

COLUMN 12.—Under § 6 of 12 & 13 Vic. c. 104, different amounts of qualification may be prescribed for different Electoral Divisions of the same Union : the figures in this Column show the amounts as at present fixed in each Union. Where only one amount is mentioned, the qualification throughout the Union is uniform.

COLUMN 13.—This Column shows the date of the Order declaring the Dispensary Districts in each Union. Under § 6 of the Dispensaries Act, the expenses were chargeable from a day named in the Order, generally a month (§ 7) after receipt of the Order ; but for some Districts, where there were funds for the support of the old Dispensaries for a longer period, a later date was specified.

COLUMNS 14 to 18 are made up to the date of the Commissioners' last Annual Report under the Dispensaries Act, 9th March, 1857.

1.—TABLE OF UNIONS IN IRELAND: 1857.

UNIONS, in Provinces and Counties.	DATE OF DECLARATION of Union.	Popula- tion: 1851.	Area: Statute Acres.	Poor Law Valuation: 1857.	No. of Electoral Divisions in Union.	No. of Wards where an Electoral Division is divided into Wards.	No. of Combinations of Electoral Divisions for Election of one Guardian.	No. of Guardians, 1857.			Amount of Qualification of Elective Guardians.	Time of Dispensary Arrangements taking effect: § 6 of Act.	DISPENSARIES. Number of				
								Elective Guardians.	Ex-officio Guardians.	Total.			Dispensary Dis- tricts.	Dispensaries, or Dispensary De- pots, therein.	Medical Officers.	Apothecaries.	Midwives.
Column 1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	18.
PROVINCE OF LEINSTER.																	
Co. CARLOW:				£	45	-	11	35	35	70	£	1852	7	9	7	-	1
*Carlow, . . .	21 Sept. '40,—8 Aug. '50,	63,582	185,857	147,071							20	Mar.,					
Co. DUBLIN:																	
*Balrothery, . .	4 April, 1839, . .	24,774	75,139	87,106	12	-	-	23	23	46	25	Feb.,	6	11	6	-	1
*North Dublin, .	10 June, 1839, . .	135,146	40,769	312,472	9	6	-	33	33	66	30	Feb.,	5	13	12	3	-
*South Dublin, .	10 June, 1839, . .	197,125	48,089	470,177	8	9	-	33	33	66	30	Feb.,	7	13	15	4	-
*Rathdown, . .	10 August, 1839, .	48,240	61,514	163,332	10	-	-	25	25	50	25	Feb.,	7	12	11	-	5
Co. KILDARE:																	
*Athy, . . .	23 Jan. '41,—8 Aug. '50,	37,635	160,254	101,424	38	-	11	29	18	47	20	Mar.,	6	8	6	1	-
*Celbridge, . .	6 February, 1839, .	22,547	86,838	109,025	15	-	-	19	19	38	25	April,	5	12	5	-	-
*Naas, . . .	18 Feb. '39,—8 Aug. '50,	44,863	216,622	140,390	37	-	8	33	33	66	25	Mar.,	7	11	7	-	-
Co. KILKENNY:																	
*Callan, . . .	9 Apr. '39,—7 June, '50,	32,748	104,011	73,003	20	-	-	24	21	45	25	Mar.,	4	4	4	-	-
*Castletomer, . .	7 June, 1850, . .	18,472	57,820	32,025	7	-	-	12	10	22	25	April,	2	4	3	-	-
*Kilkenny, . .	15 July, '39,—7 June, '50,	46,710	110,943	98,370	21	3	-	29	29	58	25	Mar.,	5	5	6	1	-
*Thomastown, . .	7 June, 1850, . .	27,298	107,577	65,087	27	-	-	27	26	53	25	Mar.,	4	6	4	-	-
*Urlingford, . .	7 June, 1850, . .	19,681	76,149	45,234	16	-	-	17	17	34	25	Feb.,	4	4	4	-	-

1.—TABLE OF UNIONS IN IRELAND—continued.

UNIONS, in Provinces and Counties.	DATE OF DECLARATION of Union.	Popu- lation: 1851.	Area: Statute Acres.	Poor Law Valuation: 1857.	No. of Electoral Divisions in Union.	No. of Wards where an Electoral Division is divided into Wards.	No. of Combinations of Electoral Divisions for Election of one Guardian.	No. of Guardians, 1857.			Amount of Qualifications of Elective Guardians.	DISPENSARIES.					
								Elective Guardians.	Ex-officio Guardians.	Total.		Time of Dispensary Arrangements taking effect: § 6 of Act.	Dispensary Dis- tricts.	Dispensaries, or pots, therein.	Medical Officers.	Apothecaries.	Midwives.
Column 1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	18.
LEINSTER—con.																	
KING'S COUNTY:																	
*Edenderry, . . .	30 May, '39,—8 Aug. '50,	29,791	172,407	£ 93,427	29	—	3	30	22	52	£	1852	6	6	6	—	—
*Parsonstown, . . .	25 May, '39,—7 June, '50,	49,651	220,437	101,396	39	—	6	34	34	68	20	May,	7	8	7	—	—
*Tullamore, . . .	25 Sept. '39,—7 June, '50,	41,158	155,395	80,855	28	—	—	31	30	61	25	April,	5	7	5	—	—
Co. LONGFORD:																	
Ballymahon, . . .	28 April, 1850, . . .	26,238	100,126	62,393	18	—	—	20	19	39	20	Feb.,	3	3	3	—	—
*Granard, . . .	6 June, '40,—28 Apr. '50,	41,473	134,003	82,074	36	—	11	25	23	48	20	April,	6	7	6	—	—
*Longford, . . .	25 May, '39,—28 Apr. '50,	37,055	102,961	58,500	19	—	—	21	21	42	20	April,	3	3	3	—	—
Co. LOUTH:																	
*Ardee, . . .	31 August, 1839, . . .	32,763	96,211	92,524	13	—	—	24	24	48	25	Mar.,	5	10	5	—	—
*Drogheda, . . .	1 July, 1839, . . .	47,259	99,045	119,272	12	2	—	25	25	50	25	Mar.,	6	12	7	—	—
*Dundalk, . . .	24 June, 1833, . . .	53,761	104,434	98,990	19	4	—	30	28	58	20	Feb.,	6	7	6	—	—
Co. MEATH:																	
*Dunshaughlin, . . .	4 April, 1839, . . .	17,137	108,339	104,694	12	—	—	26	26	52	25	Mar.,	4	8	4	—	—
*Kells, . . .	20 July, '39,—8 Aug. '50,	31,335	108,982	94,684	25	—	—	26	26	52	30	Mar.,	4	6	4	—	—
*Navan, . . .	1 July, 1839, . . .	27,657	94,466	96,100	12	—	—	21	21	42	25	Mar.,	3	3	3	—	—
*Oldcastle, . . .	20 Jan. '40,—8 Aug. '50,	29,282	85,912	52,356	14	—	—	20	20	40	25	Mar.,	4	6	4	—	—
*Trim, . . .	1 June, '39,—8 Aug. '50,	29,604	119,519	107,099	20	—	—	24	18	42	25	Feb.,	4	7	4	—	—

QUEEN'S COUNTY:	14 Dec. '39,—7 June, '50,	27,732	107,167	64,327	22	-	-	25	25	50	25	5	7	5	-	-	-
	*Abbeyfeix, . . .	12,295	51,060	37,240	13	-	-	15	15	30	20	2	2	2	-	-	-
	*Donaghmore, . .	50,185	200,633	96,655	42	-	-	44	39	83	20	7	10	7	-	-	-
Co. WESTMEATH:	8 Apr. '39,—28 Apr. '50,	46,849	150,768	85,233	31	-	-	35	35	70	20	5	5	6	-	-	-
	*Athlone, . . .	15,627	74,775	52,859	19	-	-	17	17	34	25	3	8	3	-	-	-
	Castletowndelvin, .																
*Mullingar, . . .	1 Nov. '39,—8 Aug. '50,	51,221	208,401	149,557	48	-	-	12	37	74	25	7	8	7	-	-	-
Co. WEXFORD:	30 Jan. '40,—8 Aug. '50,	53,862	196,689	109,800	32	-	-	3	34	68	25	6	9	7	-	-	-
	*Enniscorthy, . .	31,281	129,705	78,648	25	-	-	27	27	54	20	4	7	4	-	-	-
	*Gorey, . . .	56,456	177,231	105,463	39	-	-	20	20	40	20	7	13	8	-	-	-
	*New Ross, . . .	52,572	126,301	105,269	33	-	-	37	37	74	20	6	9	6	-	-	-
	*Woxford, . . .																
Co. WICKLOW:	30 Nov. '39,—8 Aug. '50,	27,324	139,108	73,388	28	-	-	3	26	45	25	4	10	4	-	-	-
	*Baltinglass, . .	47,932	227,541	126,156	30	-	-	36	34	70	20	8	11	8	-	-	-
	*Rathdrum, . . .	24,172	110,122	50,051	21	-	-	26	18	44	20	3	6	3	-	-	-
	*Shillelagh, . . .																
PROVINCE OF ULSTER.																	
Co. ANTRIM:	30 May, 1840, . . .	41,778	116,392	101,239	19	-	-	24	18	42	20	6	6	6	-	-	-
	*Antrim, . . .	20,963	102,569	39,642	15	-	-	18	18	36	15	3	3	3	-	-	-
	*Ballycastle, . .	71,522	160,863	100,943	23	-	-	28	28	56	20	8	11	8	-	-	-
	*Ballymena, . . .	42,402	127,115	72,450	22	-	-	28	28	56	20	5	6	5	-	-	-
	*Belfast, . . .	125,668	47,592	303,114	12	-	5	23	22	44	25	6	8	11	2	-	-
	*1 January, 1839, .	34,710	117,763	73,875	13	-	-	25	19	44	20	5	5	5	-	-	-
	*30 May, 1840, . .	63,783	119,792	133,540	27	-	-	29	21	50	20	8	8	8	-	-	-
Co. ARMAGH:	29 Apr. '39,—30 Sept. '51,	86,766	151,248	166,052	26	-	-	38	35	73	20	8	9	8	-	-	1
	*Armagh, . . .	67,317	79,236	94,828	19	-	-	25	23	48	20	6	7	6	-	-	-
	*Lurgan, . . .																

I.—TABLE OF UNIONS IN IRELAND—continued.

UNIONS, in Provinces and Counties.	DATE OF DECLARATION of Union.	Popula- tion: 1851.	Area: Statute Acres.	Poor Law Valuation: 1857.	No. of Electoral Divisions in Union.	No. of Wards where an Electoral Division is divided into Wards.	No. of Combinations of Electoral Divisions for Election of one Guardian.	No. of Guardians, 1857.			Amount of Qualification of Elective Guardians.	DISPENSARIES.					
								Elective Guardians.	Ex-officio Guardians.	Total.		Time of Dispensary Arrangements taking Effect: § 6 of Act.	Dispensary Dis- trict.	Dispensaries, or Dispensary De- pots, therein.	Medical Officers.	Apothecaries.	Midwives.
Column 1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	18.
ULSTER,—con.																	
Co. CAVAN:				£	12	—	—	16	9	25	£	1852	5	5	5	—	—
*Bailieborough,	30 Nov. '39,—8 Aug. '50,	26,502	65,909	38,333	12	—	—	25	16	41	30	Mar.,	4	4	4	—	—
*Bawnboy,	28 April, 1850,	29,288	104,504	37,546	25	—	—	34	34	68	25	April,	8	8	8	—	—
*Cavan,	3 Dec. '39,—7 May, '50,	66,991	160,662	94,937	33	—	—	20	20	40	20	May,	4	6	4	—	—
*Cootehill,	20 Aug. '39,—8 Aug. '50,	44,339	105,848	57,124	19	—	—	—	—	—	20	April,	—	—	—	—	—
Co. DONEGAL:																	
*Ballyshannon,	20 June, '40,—28 Apr. '50,	35,544	132,082	35,603	21	—	—	24	18	42	20	Mar.,	5	5	5	—	—
*Donegal,	21 Nov. '40,—30 Jan. '50,	34,120	160,158	27,742	18	—	—	20	16	36	20,15, &10	Mar.,	5	5	5	—	—
*Dunfanaghy,	20 July, 1841,	17,320	125,668	10,716	10	—	—	18	3	21	10	Feb.,	2	4	2	—	—
*Glenties,	2 Aug. '41,—30 Jan. '50,	40,159	257,435	16,074	27	—	8	21	8	29	10	Mar.,	5	7	5	—	—
*Inishowen,	1 October, 1840,	38,962	159,408	36,987	21	—	—	23	15	38	15	Feb.,	5	7	5	—	—
*Letterkenny,	26 June, 1841,	20,665	101,207	31,059	14	—	—	21	14	35	15	May,	3	3	3	—	—
*Milford,	20 July, '41,—30 Sept. '51,	31,552	111,336	31,035	19	—	—	23	14	37	10	Feb.,	5	6	5	—	—
*Stranorlar,	21 December, 1840,	21,970	121,151	29,089	11	—	—	19	7	26	10	Mar.,	3	6	3	—	1
Co. DOWN:																	
*Banbridge,	27 February, 1839,	75,297	124,928	120,695	23	—	—	29	29	58	20	Aug.,	6	6	6	—	—

*Downpatrick, .	15 January, 1840, .	63,770	147,361	165,519	24	-	-	27	27	54	20	Mar.,	7	11	7	-	-
*Kilkeel, .	5 August, 1839, .	24,761	81,829	37,114	10	-	-	16	14	30	20	Feb.,	3	4	3	-	-
*Newry, .	14 May, 1839, .	84,576	137,875	123,520	22	-	-	31	31	62	20	Feb.,	9	10	10	-	-
											June, 1854						
											Oct., 1852						
*Newtownards, .	10 September, 1839, .	56,861	93,851	119,573	16	-	-	24	24	48	20	Feb.,	6	7	6	-	-
Co. FERMANAGH:																	
*Enniskillen, .	20 Aug. '40, — 28 Apr. '50,	53,879	203,610	90,000	42	-	-	45	33	78	20	Mar.,	6	7	6	-	-
*Lisnaska, .	4 July, '40, — 16 Oct. '51,	29,155	98,738	46,907	20	-	-	18	18	36	20	Mar.,	4	4	4	-	-
*Lowtherstown, .	20 Sept. '40, — 15 Oct. '51,	25,673	75,916	43,876	17	-	-	20	17	37	20	May,	3	4	4	-	-
Co. LONDONDERRY:																	
*Coleraine, .	4 December, 1839, .	42,887	112,366	76,567	20	-	-	27	27	54	20	Feb.,	5	7	5	-	-
*Londonderry, .	28 January, 1839, .	62,413	139,177	116,262	22	-	-	29	23	52	20	Feb.,	7	11	7	-	-
*Magherafelt, .	2 December, 1839, .	64,506	155,904	73,952	25	-	-	30	24	54	20	Feb.,	5	8	5	-	-
*Newtownlimavady, .	30 September, 1839, .	33,640	152,398	67,111	19	-	-	24	18	42	20	Feb.,	5	5	5	-	-
Co. MONAGHAN:																	
*Carriekmacross, .	16 November, 1839, .	28,169	60,664	46,791	14	-	-	16	9	25	20	Mar.,	3	3	3	-	-
*Castleblayney, .	16 Nov. '39, — 8 Aug. '50,	46,952	94,213	62,682	21	-	-	25	22	47	20	Feb.,	3	4	3	-	-
*Clones, .	18 Feb. '40, — 30 Sept. '51,	28,265	73,506	47,637	16	-	-	20	20	40	20	April,	3	4	3	-	-
*Monaghan, .	11 Nov. '39, — 30 Sept. '51,	49,087	112,739	92,604	21	-	-	27	25	52	20	Mar.,	5	8	5	-	-
Co. TYRONE:																	
*Castlederg, .	22 May, '39, — 9 Oct. '51,	18,729	91,775	21,613	14	-	-	14	6	20	15	Mar.,	2	3	2	-	-
*Clogher, .	24 Apr. '41, — 30 Sept. '51,	31,650	101,679	42,422	18	-	-	25	22	47	15	Mar.,	4	5	4	-	-
*Cookstown, .	2 September, 1839, .	38,833	96,477	57,517	16	-	-	21	20	41	20	Mar.,	4	4	4	-	-
*Dungannon, .	1 August, 1839, .	54,282	102,440	89,671	19	-	-	26	24	50	20	Feb.,	5	5	5	-	-
*Gortin, .	20 May, 1839, .	17,301	111,259	15,700	13	-	-	14	9	23	15 & 10	Mar.,	2	3	2	-	-
*Omagh, .	22 May, '39, — 30 Sept. '51,	56,302	174,214	75,298	33	-	-	34	24	58	20	Mar.,	5	8	5	-	-
*Strabane, .	11 April, 1839, .	49,161	134,340	82,891	24	-	-	25	20	45	20	Mar.,	5	8	5	-	-

Co. LEITRIM:	2 Sept. '39,—28 Apr. '50,	35,133	100,736	33,838	25	-	-	26	24	50	20	Mar.,	4	5	4	-
*Carrick-on-Shannon,	9 Sept. '39,—28 Apr. '50,	34,910	144,847	45,055	22	-	-	23	13	36	20	April,	4	4	4	-
*Manorhamilton,	12 Sept. '39,—28 Apr. '50,	31,724	92,955	39,722	23	-	-	24	6	30	20	Mar.,	4	4	4	-
*Mohill, . . .						-	-									
Co. MAYO:						-	-									
*Ballina, . . .	13 July, '40,—24 Feb. '50,	35,226	150,415	33,850	20	-	-	21	21	42	10	May,	2	2	2	1
*Ballinrobe, . . .	16 Nov. '39,—24 Feb. '50,	37,485	144,894	38,735	18	-	-	16	16	32	10	May,	3	3	3	-
*Belmullet, . . .	29 September, 1849, . . .	17,336	177,933	10,635	15	-	-	13	3	16	10	Mar.,	2	2	2	-
*Castlebar, . . .	18 Nov. '39,—24 Feb. '50,	36,893	151,900	33,404	19	-	-	17	17	34	20,15, & 10	May,	2	3	3	-
*Claremorris, . . .	24 February, 1850, . . .	33,006	110,788	27,734	19	-	-	19	19	38	20	May,	3	3	3	-
*Killala, . . .	29 September, 1849, . . .	14,366	104,882	15,566	8	-	-	13	12	25	10	Mar.,	2	3	2	-
*Newport, . . .	8 October, 1849, . . .	15,379	159,510	11,674	10	-	-	10	8	18	10, 6	April,	3	4	3	-
*Swineford, . . .	11 Apr. '40,—24 Feb. '50,	46,922	152,594	29,700	21	-	-	22	22	44	20,10	Mar.,	5	5	5	-
*Westport, . . .	20 July, '40,—8 Oct. '49,	36,202	175,508	22,386	20	-	-	21	15	36	20,15, & 10	April,	3	3	3	-
Co. ROSCOMMON:						-	-									
*Boyle, . . .	31 Aug. '39,—28 Apr. '50,	47,521	159,696	63,690	33	-	-	31	31	62	20 & 10	April,	4	5	6	1
*Castlerea, . . .	23 Sept. '39,—24 Feb. '50,	46,743	162,363	61,399	19	-	-	19	19	38	20	Apr. '53 Feb. '52 Nov. '54	4	6	4	-
*Roscommon, . . .	20 Sept. '39,—28 Apr. '50,	34,100	114,056	41,606	18	-	-	19	19	38	20	Mar. '52	3	3	3	-
*Strokestown, . . .	24 February, 1850, . . .	30,321	90,036	36,528	20	-	-	20	20	40	20	Mar.,	3	3	3	-
Co. SLIGO:						-	-									
*Dromore West, . . .	29 September, 1849, . . .	19,563	96,985	26,645	17	-	-	17	17	34	10	April,	3	3	3	-
*Sligo, . . .	1 Aug. '39,—21 Nov. '50,	58,565	143,523	85,445	29	-	-	34	25	59	20	Mar.,	5	6	7	1
*Tobereury, . . .	24 Feb. '50,—21 Nov. '50,	26,081	125,773	30,239	21	-	-	19	19	38	20	Mar.,	2	2	2	-
PROVINCE OF MUNSTER.						-	-									
Co. CLARE:						-	-									
*Ballyvaghan, . . .	24 February, 1850, . . .	8,148	71,063	12,141	11	-	-	11	11	22	25	April,	1	2	1	-
*Corrofin, . . .	24 February, 1850, . . .	9,352	61,386	20,320	9	-	-	9	9	18	20	Mar.,	1	2	1	-
*Ennis, . . .	1 July, '39,—24 Feb. '50,	40,345	112,505	48,603	20	-	-	19	19	38	20	Mar.,	4	6	5	-
*Ennistymon, . . .	12 Aug. '39,—24 Feb. '50,	31,612	99,281	20,822	20	-	-	16	16	32	25	Mar.,	3	6	3	-
*Killadysert, . . .	24 February, 1850, . . .	16,807	62,319	25,265	11	-	-	12	12	24	20 & 10	Mar.,	2	3	2	-

1.—TABLE OF UNIONS IN IRELAND—continued.

UNIONS, in Provinces and Counties.	DATE OF DECLARATION of Union.	3.	4.	5.	6.	7.	8.	No. of Guardians, 1857.			12.	DISPENSARIES.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												
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Co. KERRY:	*Caherciveen,	30 Sept. '40,—31 Mar. '50,	29,866	197,545	21,744	22	-	3	20	12	32	15	Mar.,	5	9	-	-
	*Dingle,	22 Feb. '48,—31 Mar. '50,	27,312	125,279	22,597	19	-	-	22	13	35	20	Feb.,	3	3	-	-
	*Kenmare,	30 Sept. '40,—31 Mar. '50,	23,456	198,152	18,622	16	-	-	17	13	30	20	Mar.,	4	5	-	-
	*Killarney,	30 Sept. '40,—31 Mar. '50,	49,720	251,287	68,378	31	-	-	34	29	63	25	June,	5	7	-	-
	*Listowel,	6 Apr. '40,—31 Mar. '50,	43,251	151,208	50,537	32	-	1	32	28	60	20	May,	3	6	1	-
	*Tralee,	6 Apr. '40,—31 Mar. '50,	58,545	221,847	82,892	39	-	1	41	37	78	20	June,	5	10	-	-
Co. LIMERICK:																	
	*Croon,	31 March, 1850,	27,258	83,324	62,371	20	-	-	20	20	40	25	Mar.,	3	6	1	-
	*Glin,	31 March, 1850,	18,694	60,666	27,813	13	-	-	13	13	26	25	April,	2	4	-	-
	*Kilmallock,	21 Jan. '39,—31 Mar. '50,	48,779	140,357	129,276	27	-	-	29	29	58	25	Feb.,	6	6	2	-
	*Limerick,	1 Jan. '39,—31 Mar. '50,	110,528	177,951	184,407	34	10	1	46	46	92	20	Feb.,	7	14	1	-
	*Newcastle,	9 Jan. '39,—31 Mar. '50,	36,267	143,024	60,401	28	-	4	25	25	50	30	Mar.,	5	9	1	-
Co. TIPPERARY:	*Rathkeale,	8 Jan. '39,—31 Mar. '50,	28,587	79,932	55,197	18	-	-	19	19	38	30	Mar.,	3	4	1	-
	*Borrisokane,	7 June, 1850,	19,367	81,850	41,499	13	-	-	16	16	32	20	Mar.,	3	3	-	-
	*Carrick-on-Suir,	1 June, '39,—7 June, '50,	37,732	112,650	75,962	22	-	-	26	26	52	25	Feb.,	5	8	1	-
	*Cashel,	6 Feb. '39,—7 June, '50,	45,369	156,822	106,350	24	-	-	27	27	54	25	April,	5	7	-	-
	*Clogheen,	12 Feb. '39,—31 Mar. '50,	33,274	118,427	62,806	14	-	-	17	17	34	25	Mar.,	4	4	-	-
Co. WATERFORD:	*Clounmel,	25 Mar. '39,—7 June, '50,	36,984	86,810	72,068	14	-	-	20	20	40	25	Feb.,	6	7	1	-
	*Nonagh,	14 Feb. '39,—7 June, '50,	50,492	183,088	91,313	28	-	-	32	32	64	20	April,	5	5	1	-
	*Roscrea,	25 May, '39,—7 June, '50,	33,442	118,488	69,111	21	-	-	23	23	46	20	Mar.,	3	7	-	-
	*Thurles,	5 April, 1839,	48,539	143,351	84,869	22	-	2	25	25	50	20	Feb.,	6	7	1	-
	*Tipperary,	7 Feb. '39,—31 Mar. '50,	60,368	179,988	134,120	30	-	-	33	32	65	20	April,	6	8	-	-
Co. WATERFORD:																	
	*Dungarvan,	8 Apr. '39,—7 June, '50,	31,236	94,044	53,376	18	-	-	22	19	41	25 & 10	Feb.,	4	4	-	-
	*Kilmaethomas,	7 June, 1850,	18,722	64,478	35,274	16	-	-	17	17	34	25	Mar.,	2	6	-	-
	*Lismore,	12 Apr. '39,—7 June, '50,	27,077	97,140	49,925	16	-	1	19	18	37	25	Feb.,	4	6	-	-
Co. WATERFORD:																	
	*Waterford,	25 Apr. '39,—7 June, '50,	69,083	125,719	140,321	30	5	-	39	39	78	20	Sept., 1852	5	9	1	-

SUMMARY OF FOREGOING TABLE OF UNIONS IN IRELAND.

PROVINCES.	Number of Unions.	Population : 1851.	Area : Statute Acres.	Poor Law Valuation : 1857.	No. of Electoral Divisions in Unions.	No. of Wards where Electoral Divisions are divided into Wards.	No. of Combinations of Electoral Divisions for Election of one Guardian.	No. of Guardians, 1857.			DISPENSARIES.				
								Elective.	Ex-officio.	Total.	Number of				
											Dispensary Dis- tricts.	Dispensaries, or Dispensary De- pots, therein.	Medical Officers.	Apothecaries.	Midwives.
LEINSTER, . . .	40	1,710,798	4,940,319	£ 4,227,942	944	24	88	1,075	1,016	2,091	202	310	227	10	7
ULSTER, . . .	44	2,002,670	5,303,198	3,247,758	875	5	11	1,068	872	1,940	216	268	223	2	7
CONNAUGHT, . . .	29	962,919	4,060,230	1,094,105	596	6	23	605	527	1,132	95	114	102	7	1
MUNSTER, . . .	50	1,875,668	6,005,403	3,162,164	1,023	26	43	1,121	1,060	2,181	202	302	221	20	1
TOTAL, . . .	163	6,552,055	20,314,150	11,731,969	3,438	61	165	3,869	3,475	7,344	715	994	773	39	14
AVERAGE for Unions,	-	40,197	124,627	71,975	21	-	-	24	21	45	4	6	5	-	-

2.—INDEX LIST OF UNIONS; with NAMES of COUNTIES in which they are situate, and REFERENCE to each UNION in the foregoing Table.

UNIONS.	Counties in which situate.	Page
Abbeyleix, . . .	Queen's,	1057
Antrim,	Antrim,	1057
Ardee,	Louth, Meath,	1056
Armagh,	Armagh, Tyrone,	1057
Athlone,	Westmeath, Roscommon,	1057
Athy,	Kildare, Queen's,	1055
Bailieborough,	Cavan,	1058
Ballina,	Mayo, Sligo,	1061
Ballinasloe,	Galway, Roscommon,	1060
Ballinrobe,	Mayo, Galway,	1061
Ballycastle,	Antrim,	1057
Ballymahon,	Longford, Westmeath,	1056
Ballymena,	Antrim,	1057
Ballymoney,	Antrim, Londonderry,	1057
Ballyshannon,	Donegal, Fermanagh, Leitrim,	1058
Ballyvaghan,	Clare,	1061
Balrothery,	Dublin,	1055
Baltinglass,	Wicklow, Kildare, Carlow,	1057
Banbridge,	Down, Armagh,	1058
Bandon,	Cork,	1062
Bantry,	Cork,	1062
Bawnboy,	Cavan, Leitrim,	1058
Belfast,	Antrim, Down,	1057
Belmullet,	Mayo,	1061
Borrisokane,	Tipperary,	1063
Boyle,	Roscommon, Sligo,	1061
Caherciveen,	Kerry,	1063
Callan,	Kilkenny, Tipperary,	1055
Carlow,	Carlow, Queen's, Kildare,	1055
Carrickmacross,	Monaghan,	1059
Carrick-on-Shannon,	Leitrim, Roscommon,	1061
Carrick-on-Suir,	Tipperary, Waterford,	1063
Cashel,	Tipperary,	1063
Castlebar,	Mayo,	1061
Castleblayney,	Monaghan, Armagh,	1059
Castlecomer,	Kilkenny,	1055
Castlederg,	Tyrone,	1059
Castlereagh,	Roscommon, Mayo,	1061
Castletown,	Cork,	1062
Castletowndelvin,	Westmeath, Meath,	1057
Cavan,	Cavan,	1058
Celbridge,	Kildare, Dublin, Meath,	1055
Claremorris,	Mayo,	1061
Clifden,	Galway, Mayo,	1060
Clogheen,	Tipperary, Waterford,	1063
Clogher,	Tyrone, Monaghan,	1059
Clonakilty,	Cork,	1062
Clones,	Monaghan, Fermanagh,	1059
Clonmel,	Tipperary, Waterford,	1063
Coleraine,	Londonderry, Antrim,	1059

UNIONS.	Counties in which situate.	Page
Cookstown, . . .	Tyrone,	1059
Cootehill, . . .	Cavan, Monaghan,	1058
Cork,	Cork,	1062
Corrofin,	Clare,	1061
Croom,	Limerick,	1063
Dingle,	Kerry,	1063
Donaghmore, . . .	Queen's,	1057
Donegal,	Donegal,	1058
Downpatrick, . . .	Down,	1059
Drogheda,	Louth, Meath,	1056
Dromore, West, . .	Sligo,	1061
Dublin, North, . .	Dublin,	1055
Dublin, South, . .	Dublin,	1055
Dundalk,	Louth, Armagh, Monaghan,	1056
Dunfanaghy, . . .	Donegal,	1058
Dungannon,	Tyrone,	1059
Dungarvan,	Waterford,	1063
Dunmanway,	Cork,	1062
Dunshaughlin, . . .	Meath, Dublin,	1056
Edenderry,	King's, Meath, Kildare,	1056
Ennis,	Clare,	1061
Enniscorthy,	Wexford, Carlow,	1057
Enniskillen,	Fermanagh, Cavan, Tyrone,	1059
Ennistymon,	Clare,	1061
Fermoy,	Cork,	1062
Galway,	Galway,	1060
Glennamaddy, . . .	Galway, Roscommon,	1060
Glenties,	Donegal,	1058
Glin,	Limerick, Kerry,	1063
Gorey,	Wexford,	1057
Gort,	Galway, Clare,	1060
Gortin,	Tyrone,	1059
Granard,	Longford, Cavan, Westmeath,	1056
Inishowen,	Donegal,	1058
Kanturk,	Cork, Limerick,	1062
Kells,	Meath, Cavan,	1056
Kenmare,	Kerry,	1063
Kilkeel,	Down,	1059
Kilkenny,	Kilkenny,	1055
Killadysert,	Clare,	1061
Killala,	Mayo,	1061
Killarney,	Kerry,	1063
Kilmacthomas, . . .	Waterford,	1063
Kilmallock,	Limerick, Cork,	1063
Kilrush,	Clare,	1062
Kinsale,	Cork,	1062
Larne,	Antrim,	1057
Letterkenny,	Donegal,	1058
Limerick,	Limerick, Clare,	1063
Lisburn,	Antrim, Down,	1057
Lismore,	Waterford, Cork,	1063
Lisnaskea,	Fermanagh,	1059
Listowel,	Kerry,	1063
Londonderry,	Londonderry, Donegal,	1059
Longford,	Longford,	1056
Loughrea,	Galway,	1060
Lowtherstown, . . .	Fermanagh, Tyrone,	1059
Lurgan,	Armagh, Antrim, Down,	1057

UNIONS.	Counties in which situate.	Page
Macroom,	Cork,	1062
Magherafelt,	Londonderry,	1059
Mallow,	Cork,	1062
Manorhamilton,	Leitrim,	1061
Midleton,	Cork,	1062
Milford,	Donegal,	1058
Millstreet,	Cork,	1062
Mitchelstown,	Cork, Limerick,	1062
Mohill,	Leitrim,	1061
Monaghan,	Monaghan,	1059
Mount Bellew,	Galway,	1060
Mountmelick,	Queen's, King's,	1057
Mullingar,	Westmeath,	1057
Naas,	Kildare, Wicklow,	1055
Navan,	Meath,	1056
Nenagh,	Tipperary,	1063
Newcastle,	Limerick,	1063
Newport,	Mayo,	1061
New Ross,	Wexford, Kilkenny, Carlow,	1057
Newry,	Down, Armagh,	1059
Newtownards,	Down,	1059
Newtownlimavady,	Londonderry,	1059
Oldcastle,	Meath, Cavan,	1056
Omagh,	Tyrone,	1059
Oughterard,	Galway, Mayo,	1060
Parsonstown,	King's, Tipperary,	1056
Portumna,	Galway,	1060
Rathdown,	Dublin, Wicklow,	1055
Rathdrum,	Wicklow,	1057
Rathkeale,	Limerick,	1063
Roscommon,	Roscommon, Galway,	1061
Roscrea,	Tipperary, King's, Queen's,	1063
Scariff,	Clare, Galway,	1062
Shillelagh,	Wicklow, Carlow, Wexford,	1057
Skibbereen,	Cork,	1062
Skull,	Cork,	1062
Sligo,	Sligo,	1061
Strabane,	Tyrone, Donegal,	1059
Stranorlar,	Donegal,	1058
Strokestown,	Roscommon,	1061
Swineford,	Mayo, Roscommon,	1061
Thomastown,	Kilkenny,	1055
Thurles,	Tipperary,	1063
Tipperary,	Tipperary, Limerick,	1063
Tobercurry,	Sligo,	1061
Tralee,	Kerry,	1063
Trim,	Meath,	1056
Tuam,	Galway,	1060
Tulla,	Clare,	1062
Tullamore,	King's, Westmeath,	1056
Urlingford,	Kilkenny, Tipperary,	1055
Waterford,	Waterford, Kilkenny,	1063
Westport,	Mayo,	1061
Wexford,	Wexford,	1057
Youghal,	Cork, Waterford,	1062

3.—INDEX LIST OF DISPENSARY DISTRICTS; with NAMES of UNIONS in which they are situate^a.

Dispensary Districts.	Unions in which situate.	Dispensary Districts.	Unions in which situate.
Abbey, .	Tuam.	Ballinallee, .	Granard.
Abbeyfeale, .	Newcastle.	Ballinameen, .	Boyle.
Abbeyleix, .	Abbeyleix.	Ballinamore, .	Bawnboy.
Abbeyshrule, .	Ballymahon.	Ballinasloe, .	Ballinasloe.
Achill, .	Newport.	Ballincollig, .	Cork.
Adare, .	Croom.	Ballinderreen, .	Gort.
Aghada, .	Midleton.	Ballindine, .	Claremorris.
Aghadowey, .	Coleraine.	Ballingarry, .	Callan.
Aghalee, .	Lurgan.	Ballinrobe, .	Ballinrobe.
Ahascragh, .	Ballinasloe.	Ballintra, .	Ballyshannon.
Ahoghill, .	Ballymena.	Ballybay, .	Castleblaney.
Anamoe, .	Rathdrum.	Ballyboggan, .	Edenderry.
Annacarriga, .	Scariff.	Ballycarry, .	Larne.
Annacotty, .	Limerick.	Ballycastle, .	Ballycastle.
Annahilt, .	Lisburn.	Ballycastle, .	Killala.
Antrim, .	Antrim.	Baliyclough, .	Mallow.
Ardagh, .	Newcastle.	Ballyconnell, .	Bawnboy.
Ardee, .	Ardee.	Ballycroy, .	Newport.
Ardfert, .	Tralee.	Ballyduff, .	Lismore.
Ardfinnan, .	Clogheen.	Ballyduff, .	Listowel.
Ardmore, .	Dungarvan.	Ballyfeard, .	Kinsale.
Ardmore, .	Youghal.	Ballygarvan, .	Cork.
Arklow, .	Rathdrum.	Ballygawley, .	Clogher.
Armagh, .	Armagh.	Ballygomartin, .	Belfast.
Arran, .	Galway.	Ballyhaise, .	Cavan.
Arthurstown, .	New Ross.	Ballyhaunnis, .	Claremorris.
Articlave, .	Coleraine.	Ballyhooly, .	Fermoy.
Arvagh, .	Cavan.	Ballyjamesduff, .	Oldcastle.
Ashford, .	Rathdrum.	Ballykelly, .	N.-T.-Limavady.
Askeaton, .	Rathkeale.	Ballyleague, .	Roscommon.
Athboy, .	Trim.	Ballylesson, .	Lisburn.
Athenry, .	Loughrea.	Ballylongford, .	Listowel.
Athleague, .	Roscommon.	Ballylynan, .	Athy.
Athlone, .	Athlone.	Ballymacarbry, .	Clonmel.
Athy, .	Athy.	Ballymacarret, .	Belfast.
Aughnacloy, .	Clogher.	Ballymagran, .	Dungannon.
Aughrim, .	Carrick-on-Shan- non.	Ballymahon, .	Ballymahon.
Aughrim, .	Rathdrum.	Ballymartle, .	Kinsale.
Awenascale, .	Dingle.	Ballymena, .	Ballymena.
Bagenalstown, .	Carlow.	Ballymoney, .	Ballymoney.
Bailieborough, .	Bailieborough.	Ballymore, .	Ballymahon.
Balbriggan, .	Balrothery.	Ballymore (see Blessington).	
Balla, .	Castlebar.	Ballymote, .	Sligo.
Ballagherreen, .	Castleren.	Ballynacally, .	Killadysert.
Balleen, .	Urlingford.	Ballynacarigy, .	Mullingar.
Ballickmoyler & Newtown, .	Carlow.	Ballynahinch, .	Downpatrick.
Ballina, .	Ballina.	Ballynoe, .	Fermoy.
Ballinakill, .	Abbeyleix.	Ballynure, .	Larne.
		Ballyporeen, .	Clogheen.

^a For references to pages in which the statistics of the respective Unions are to be found in preceding Table 1, see Index Column of Table 2.

Dispensary Districts.	Unions in which situate.	Dispensary Districts.	Unions in which situate.
Ballyragget, .	Castlecomer.	Caher, .	Clogheen.
Ballyroan, .	Abbeyleix.	Caherconlish, .	Limerick.
Ballyshannon, .	Ballyshannon.	Caledon, .	Armagh.
Ballyvaghan, .	Ballyvaghan.	Callan, .	Callan.
Ballyward, .	Banbridge.	Camolin, .	Gorey.
Baltinglass, .	Baltinglass.	Cannaway, .	Macroon.
Banagher, .	Parsonstown.	Cappagh, .	Tipperary.
Banbridge, .	Banbridge.	Cappoquin, .	Lismore.
Bandon, .	Bandon.	Carbury, .	Edenderry.
Bangor, .	Belmullet.	Carlingford, .	Dundalk.
Bangor, .	Newtownards.	Carlow, .	Carlow.
Bannow, .	Wexford.	Carndonagh, .	Inishowen.
Bansha, .	Tipperary.	Carney, .	Sligo.
Bantry, .	Bantry.	Carnmoney, .	Belfast.
Barronstown, .	Dundalk.	Carragh (see Naas)	
Belfast, .	Belfast.	Carrick, .	Glenties.
Bellaghy, .	Magherafelt.	Carrickfergus, .	Larne.
Bellananagh, .	Cavan.	Carrickmacross, .	Carrickmacross.
Bellareena, .	N.-T.-Limavady.	Carrick-on-Suir, .	Carrick-on-Suir.
Belleek, .	Ballyshannon.	Carrigaholt, .	Kilrush.
Belturbet, .	Cavan.	Carrigaline, .	Cork.
Benburb, .	Dungannon.	Carrigaline, .	Kinsale.
Binghamstown, .	Belmullet.	Carrigallen, .	Mohill.
Blackrock and Stillorgan, .	Rathdown.	Carrigbyrne, .	New Ross.
Blackwatertown, .	Armagh.	Carrignavar, .	Cork.
Blanchardstown & Castleknock, .	North Dublin.	Cashel, .	Cashel.
Blarney, .	Cork.	Castlebar, .	Castlebar.
Blessington and Ballymore, .	Naas.	Castlebellingham, .	Ardee.
Boherboy, .	Kanturk.	Castleblayney, .	Castleblayney.
Borris, .	Carlow.	Castlecomer, .	Castlecomer.
Borris-in-Ossory, .	Donaghmore.	Castleconnor, .	Dromore, West.
Borrisokane, .	Borrisokane.	Castlederg and Killeter, .	Castlederg.
Borrisoleigh, .	Thurles.	Castledermot, .	Athy.
Bourney, .	Roscrea.	Castle Finn, .	Strabane.
Boyle, .	Boyle.	Castlegregory, .	Dingle.
Bray and Rathmichael, .	Rathdown.	Castle Island, .	Tralee.
Brideswell, .	Athlone.	Castleknock (see Blanchardstown).	
Bridgetown, .	Limerick.	Castlemartyr, .	Midleton.
Bridgetown, .	Wexford.	Castleplunket, .	Castlereagh.
Broadford, .	Newcastle.	Castlepollard, .	Castle-T.-Delvin.
Broadway, .	Wexford.	Castlequarter, .	Pallymoney.
Brookeborough, .	Lisnaskea.	Castlereagh, .	Castlereagh.
Brosna, .	Tralee.	Castleshane, .	Monaghan.
Broughshane, .	Ballymena.	Castletown, .	Abbeyleix.
Bruff, .	Kilmallock.	Castletown, .	Castletown.
Bruree, .	Kilmallock.	Castletown, .	Croom.
Bryansford, .	Kilkeel.	Castletown, .	Navan.
Bullawn, .	Loughrea.	Castletowndelvin, .	Castle-T.-Delvin.
Buncrana, .	Inishowen.	Castletown Geoghghan, .	Mullingar.
Burt, .	Londonderry.	Cavan, .	Cavan.
Bushmills, .	Coleraine.	Celbridge, .	Celbridge.
Buttevant, .	Mallow.	Charleville, .	Kilmallock.
Caher, .	Caherciveen.	Church Hill, .	Ballyshannon.

Dispensary Districts.	Unions in which situate.	Dispensary Districts.	Unions in which situate.
Churchhill, .	Letterkenny.	Courceys, .	Kinsale.
Clane and Timahoe, North, .	Naas	Cragaknock, .	Kilrush.
Clara, .	Tullamore.	Creagh, .	Ballinasloe.
Claremorris, .	Claremorris.	Croagh, .	Ballycastle.
Clarina, .	Limerick.	Croom, .	Croom.
Clashmore, .	Youghal.	Crossgar, .	Banbridge.
Claudy, .	Londonderry.	Crossabeg, .	Wexford.
Clifden, .	Clifden.	Crossakeel, .	Oldcastle.
Clogh, .	Ballymena.	Crossbane, .	Bailieborough.
Cloghan, .	Stranorlar.	Crossmaglen, .	Castleblayney.
Clogheen, .	Clogheen.	Crossmolina, .	Ballina.
Clogher, .	Clogher.	Crossroads, .	Dunfanaghy.
CloghJordan, .	Borrisokane.	Crumlin, .	Antrim.
Clonakilty, .	Clonakilty.	Crusheen, .	Ennis.
Clonaslee, .	Mountmelick.	Cullen, .	Millstreet.
Clonavaddy, .	Dungannon.	Cushendall, .	Ballycastle.
Clonbrock, .	Mount Bellew.	Darrynane, .	Caherciveen.
Clondalkin, .	South Dublin.	Dawson Grove, .	Cootehill.
Clonegall (see Coolattin).		Delgany, .	Rathdown.
Clonelly, .	Lowtherstown.	Derrylin, .	Lisnaskea.
Clones, .	Clones.	Dervock, .	Ballymoney.
Clonmany, .	Inishowen.	Dingle, .	Dingle.
Clonmel, .	Clonmel.	Dirraw, .	Ballymoney.
Clonmellon, .	Castle-T.-Delvin.	Doagh, .	Antrim.
Clonmoyle, .	Macroon.	Donaghadee, .	Newtownards.
Clonroche, .	Enniscorthy.	Donaghmore, .	Newry.
Clontarf & Howth, .	North Dublin.	Donaghmoynce, .	Carrickmacross.
Clonygowan, .	Mountmelick.	Donegal, .	Donegal.
Cloonbur, .	Oughterard.	Doneraile, .	Mallow.
Clough, .	Downpatrick.	Donnybrook, .	South Dublin.
Cloyne, .	Midleton.	Douglas, .	Cork.
Coagh, .	Cookstown.	Downpatrick, .	Downpatrick.
Coal Island, .	Dungannon.	Draperstown, .	Magherafelt.
Coleraine, .	Coleraine.	Dripsey, .	Cork.
Collon, .	Ardee.	Drogheda, .	Drogheda.
Collooney, .	Sligo.	Dromdaleague, .	Skibbereen.
Comber, .	Newtownards.	Dromiskin, .	Dundalk.
Cong, .	Ballinrobe.	Dromore, .	Banbridge.
Connor, .	Antrim.	Dromore, .	Omagh.
Cookstown, .	Cookstown.	Drum, .	Cootehill.
Coolacasey, .	Limerick.	Drumahaire, .	Manorhamilton.
Coolaney, .	Tobercurry.	Drumconrath, .	Ardee.
Coolattin and Clonegall, .	Shillelagh.	Drumcondra (see Coolock).	
Coole, .	Granard.	Drumkeeran, .	Manorhamilton.
Coolgreany, .	Gorey.	Drumlisk, .	Longford.
Coolkenno and Hacketstown, .	Shillelagh.	Drumquin, .	Castlederg.
Coolock and Drumcondra, .	North Dublin.	Drumquin, .	Omagh.
Coolrain, .	Mountmelick.	Drumshanbo, .	Car.-on-Shannon.
Coom, .	Killarney.	Dublin, City of (see North City and South City).	
Cootehill, .	Cootehill.	Duleek, .	Drogheda.
Cork, .	Cork.	Dunboyne, .	Dunshaughlin.
Corrofin, .	Corrofin.	Dundalk, .	Dundalk.
		Dundrum and Glencullen, .	Rathdown.

Dispensary Districts.	Unions in which situate.	Dispensary Districts.	Unions in which situate.
Dunfanaghy, .	Dunfanaghy.	Garrangibbon, .	Carrick-on-Suir.
Dungannon, .	Dungannon.	Garristown, .	Dunshaughlin.
Dunganstown, .	Rathdrum.	Garvagh, .	Coleraine.
Dungarvan, .	Dungarvan.	Glanbehy, .	Caherciveen.
Dungiven, .	N.-T.-Limavady.	Glasnevin (see	
Dungloe, .	Glenties.	Finglas).	
Dunkineely, .	Donegal.	Glassan, .	Athlone.
Dunlavin, .	Baltinglass.	Glasslough, .	Monaghan.
Dunleer, .	Ardee.	Glenarm, .	Larne.
Dunmore, .	Glennamaddy.	Glenavy, .	Lisburn.
Dunmore, .	Tuam.	Glencullen (see	
Dunmurry, .	Lisburn.	Dundrum).	
Dunnamanagh, .	Strabane.	Glendermot, .	Londonderry.
Durrow, .	Abbeyleix.	Glengarriff, .	Bantry.
Durrus and Kil-		Glennamaddy, .	Glennamaddy.
crohane, .	Bantry.	Glenties, .	Glenties.
Dysartmoon, .	New Ross.	Glenwhirry, .	Ballymena.
Easkey, .	Dromore, West.	Glynn (see Tagh-	
Edenderry, .	Edenderry.	mon).	
Ederney, .	Lowtherstown.	Golden, .	Tipperary.
Elphin, .	Strokestown.	Goleen, .	Skull.
Ely, .	Enniskillen.	Gorey, .	Gorey.
Emlagh, .	Caherciveen.	Gort, .	Gort.
Emly, .	Tipperary.	Gortin, .	Gortin.
Emo, .	Mountmelick.	Gowran, .	Kilkenny.
Ennis, .	Ennis.	Graigue, .	Thomastown.
Enniscorthy, .	Enniscorthy.	Granard, .	Granard.
Enniskillen, .	Enniskillen.	Grean, .	Tipperary.
Ennistymon, .	Ennistymon.	Grey Abbey, .	Newtownards.
Eyrecourt, .	Portumna.	Gurteen, .	Boyle.
Fannett, .	Milford.	Hacketstown (see	
Feakle, .	Scariff.	Coolkenno).	
Feenagh, .	Newcastle.	Headford, .	Tuam.
Feeny, .	N.-T.-Limavady.	Hillsborough, .	Lisburn.
Fennagh and		Hollymount, .	Ballinrobe.
Myshall, .	Carlow.	Hollywood, .	Belfast.
Ferbane, .	Parsonstown.	Holmpatrick, .	Balrothery.
Fermoy, .	Fermoy.	Holycross, .	Thurles.
Ferns, .	Enniscorthy.	Holywell, .	Enniskillen.
Fethard, .	Cashel.	Hospital, .	Kilmallock.
Fethard, .	New Ross.	Howth (see	
Finglas and Glas-		Clontarf)	
nevin, .	North Dublin.	Inchigeelagh, .	Macroon.
Finnea, .	Granard.	Inishannon, .	Bandon.
Fintona, .	Omagh.	Inistioge, .	Thomastown.
Fintown, .	Glenties.	Innfield, .	Trim.
Fivemiletown, .	Clogher.	Islandeedy, .	Westport.
Florencecourt, .	Enniskillen.	Jamestown, .	Car.-on-Shannon.
Fontstown, .	Athy.	Johnstown, .	Edenderry.
Forkhill, .	Newry.	Johnstown, .	Urlingford.
Foxford, .	Swineford.	Kanturk, .	Kanturk.
Frankford, .	Parsonstown.	Keadue, .	Boyle.
Frenchpark, .	Castlerea.	Keady, .	Armagh.
Freshford, .	Kilkenny.	Kells, .	Kells.
Galbally, .	Mitchelstown.	Kenmare, .	Kenmare.
Galgorm, .	Ballymena.	Kilbeggan, .	Tullamore.
Galway, .	Galway.	Kilbrittain, .	Bandon.

Dispensary Districts.	Unions in which situate.	Dispensary Districts.	Unions in which situate.
Kilcatherine, .	Castletown.	Kilshannig, .	Mallow.
Kilcock, . .	Celbridge.	Kilsheelan, .	Clonmel.
Kilcooly, . .	Urlingford.	Kilskeer, . .	Kells.
Kilcrohane (see Durrus).		Kiltamagh, .	Swineford.
Kilcullen, . .	Naas.	Kiltegan, . .	Baltinglass.
Kildare (see New-bridge).		Kiltinan, . .	Clonmel.
Kilderry, . .	Londonderry.	Kiltoom, . .	Athlone.
Kildorrery, .	Mitchelstown.	Kilworth, . .	Fermoy.
Kilfinnane, .	Kilmallock.	Kingscourt, .	Bailieborough.
Kilgarvan, . .	Kenmare.	Kingstown, .	Rathdown.
Kilgobban, . .	Tralee.	Kinlough, . .	Ballyshannon.
Kilkee, . . .	Kilrush.	Kinnitty, . .	Parsonstown.
Kilkeel, . . .	Kilkeel.	Kinsale, . . .	Kinsale.
Kilkelly, . . .	Swineford.	Knocknadona, .	Lisburn.
Kilkenny, . . .	Kilkenny.	Knocktopher, .	Thomastown.
Kilkishen, . .	Tulla.	Labasheeda, .	Killadysert.
Killaan, . . .	Ballinasloe.	Lahy,	Donegal.
Killala, . . .	Killala.	Larne,	Larne.
Killann, . . .	Enniscorthy.	Laurecetown, .	Ballinasloe.
Killanniv, . .	Ennis.	Leighlinbridge, .	Carlow.
Killarney, . .	Killarney.	Leitrim, . . .	Car-on-Shannon.
Killashee, . .	Longford.	Letterkenny, .	Letterkenny.
Killea,	Londonderry.	Lettermore, . .	Oughterard.
Killeagh, . . .	Youghal.	Limerick, City of,	Limerick.
Killeen, . . .	Dunshaughlin.	Lisbellaw, . .	Enniskillen.
Killenagh & Wells,	Gorey.	Lisburn, . . .	Lisburn.
Killenaule, . .	Cashel.	Lismore, . . .	Lismore.
Killeoran, . .	Mount Bellew.	Lisnaskea, . .	Lisnaskea.
Killeshandra, .	Cavan.	Listowel, . . .	Listowel.
Killeter (see Castlederg).		Littleton, . .	Thurles.
Killiney, . . .	Rathdown.	Londonderry, .	Londonderry.
Killorglin, . .	Killarney.	City of,	Londonderry.
Killough, . . .	Downpatrick.	Longford, . . .	Longford.
Killoughy, . .	Tullamore.	Loughbrickland, .	Banbridge.
Killucan, . . .	Mullingar.	Loughgall, . .	Armagh.
Killybegs, . . .	Glenties.	Loughrea, . .	Loughrea.
Killygordon, .	Stranorlar.	Louisburgh, . .	Westport.
Killyleagh, . .	Downpatrick.	Louth,	Dundalk.
Killyon, . . .	Parsonstown.	Lowpark, . . .	Swineford.
Kilmacrenan and Milford, . .	Milford.	Lowtherstown, .	Lowtherstown.
Kilmaganny, . .	Callan.	Lucan,	Celbridge.
Kilmakevoge, .	Waterford.	Lurgan,	Lurgan.
Kilmallock, . .	Kilmallock.	Lurganboy, . .	Manorhamilton.
Kilmeage (see Robertstown).		Lusk,	Balrothery.
Kilmihil, . . .	Kilrush.	Macroon, . . .	Macroon.
Kilmood, . . .	Newtownards.	Maghera, . . .	Magherafelt.
Kilmore, . . .	Monaghan.	Magherafelt, .	Magherafelt.
Kilnaleck, . . .	Cavan.	Maguiresbridge, .	Lisnaskea.
Kilpatrick, . .	Cashel.	Malahide, . . .	Balrothery.
Kilrea,	Ballymoney.	Malin,	Inishowen.
Kilrush, . . .	Kilrush.	Mallow,	Mallow.
Kilsallaghan, .	Balrothery.	Manorcunningham	Letterkenny.
		Manorhamilton, .	Manorhamilton.
		Markethill, . .	Armagh.
		Marlfield, . . .	Clonmel.
		Maryborough, .	Mountmelick.
		Maynooth, . . .	Celbridge.

Dispensary Districts.	Unions in which situate.	Dispensary Districts.	Unions in which situate.
Meigh, . . .	Newry.	Nobber, . . .	Kells.
Midleton, . . .	Midleton.	North, . . .	Dunmanway.
Milford (<i>see</i> Kilmacrenan).		North City, . . .	North Dublin.
Milford, . . .	Kanturk.	North District, . . .	Kilmacthomas.
Millstreet, . . .	Millstreet.	Oldcastle, . . .	Oldcastle.
Milltown, . . .	Killarney.	Old Ross, . . .	New Ross.
Milltown, . . .	Mullingar.	Omagh, . . .	Omagh.
Miltown Malbay,	Ennistymon.	Oranmore, . . .	Galway.
Mitchelstown, . . .	Mitchelstown.	Oughterard, . . .	Oughterard.
Moate, . . .	Athlone.	Oulart, . . .	Enniscorthy.
Mohill, . . .	Mohill.	Painestown, . . .	Navan.
Moir, . . .	Lurgan.	Pallaskenry, . . .	Rathkeale.
Molahiffe, . . .	Killarney.	Palmerstown, . . .	South Dublin.
Monaghan, . . .	Monaghan.	Parsonstown, . . .	Parsonstown.
Monasterboice, . . .	Drogheda.	Pettigoe, . . .	Donegal.
Monasterevin, . . .	Athy.	Philipstown, . . .	Tullamore.
Moneymore, . . .	Magherafelt.	Plumb Bridge, . . .	Gortin.
Mount Bellew, . . .	Mount Bellew.	Pointzpass, . . .	Newry.
Mountcharles, . . .	Donegal.	Pomeroy, . . .	Cookstown.
Mountmelick, . . .	Mountmelick.	Portadown, . . .	Lurgan.
Mountnorris, . . .	Newry.	Portaferry, . . .	Downpatrick.
Mountrath, . . .	Mountmelick.	Portglenone, . . .	Ballymena.
Mountshannon, . . .	Scariff.	Portlawn, . . .	Carrick-on-Suir.
Moville, . . .	Inishowen.	Portroe, . . .	Nenagh.
Moynalty, . . .	Kells.	Portumna, . . .	Portumna.
Moyne, . . .	Thurles.	Powerscourt, . . .	Rathdown.
Muff, . . .	Londonderry.	Queenstown, . . .	Cork.
Mullaghglass, . . .	Newry.	Quin, . . .	Tulla.
Mullinahone, . . .	Callan.	Raferagh, . . .	Carrickmacross.
Mullingar, . . .	Mullingar.	Rahan, . . .	Mallow.
Multyfarnham, . . .	Mullingar.	Randalstown, . . .	Antrim.
Murragh, . . .	Bandon.	Raphoe, . . .	Strabane.
Murroe, . . .	Limerick.	Rathangan, . . .	Edenderry.
Myshall (<i>see</i> Fenagh).		Ratheoole, . . .	Celbridge.
Naas and Carragh	Naas.	Rathcormack, . . .	Fermoy.
Navan, . . .	Navan.	Rathdowney, . . .	Donaghmore.
Nenagh, . . .	Nenagh.	Rathdrum, . . .	Rathdrum.
Newbridge, . . .	Rathdrum.	Rathfarnham, . . .	South Dublin.
Newbridge and Kildare, . . .	Naas.	Rathfriland, . . .	Newry.
Newcastle, . . .	Newcastle.	Rathgormuck, . . .	Carrick-on-Suir.
Newcastle, . . .	Rathdrum.	Rathkeale, . . .	Rathkeale.
Newmarket, . . .	Ennis.	Rathmelton, . . .	Milford.
Newmarket, . . .	Kanturk.	Rathmichael (<i>see</i> Bray).	
Newport, . . .	Nenagh.	Rathmines, . . .	South Dublin.
Newport, . . .	Newport.	Rathmore, . . .	Naas.
New Ross, . . .	New Ross.	Rathmullan, . . .	Milford.
Newry, . . .	Newry.	Rathvilly, . . .	Baltinglass.
Newtown (<i>see</i> Ballickmoyler).		Ratoath, . . .	Dunshaughlin.
Newtownards, . . .	Newtownards.	Ravensdale, . . .	Dundalk.
Newtownbarry, . . .	Enniscorthy.	Rhode, . . .	Edenderry.
Newtownbutler, . . .	Clones.	Rich Hill, . . .	Armagh.
Newtowngore, . . .	Bawnboy.	Rinvyle, . . .	Clifden.
N.-T.-Limavady, . . .	N.-T.-Limavady.	Riverstown, . . .	Parsonstown.
Newtown Stewart	Strabane.	Riverstown, . . .	Sligo.
		Roadford, . . .	Ennistymon.
		Robertstown and Kilmeage, . . .	Naas.

Dispensary Districts.	Unions in which situate.	Dispensary Districts.	Unions in which situate.
Rosky, . . .	Strokestown.	Templepatrick, .	Antrim.
Roscommon, .	Roscommon.	Templeudigan, .	New Ross.
Roscrea, . . .	Roscrea.	Tempo, . . .	Enniskillen.
Rosguill, . . .	Milford.	Termon, . . .	Bailieborough.
Rosscarbery, .	Clonakilty.	Termonfeekin, .	Drogheda.
Rosslea, . . .	Clones.	Terryglass, . .	Borrisokane.
Rostrevor, . .	Kilkeel.	Thomastown, . .	Thomastown.
Roundstone, .	Clifden.	Thurles, . . .	Thurles.
Rowan, . . .	Mohill.	Timahoe, North	
Rynn, . . .	Mohill.	(see Clane).	
Saintfield, . .	Lisburn.	Timoleague, . .	Clonakilty.
St. Mary's, . .	Clonmel.	Tinahely, . . .	Shillelagh.
St. Mary's, . .	Drogheda.	Tipperary, . . .	Tipperary.
St. Mullins, . .	New Ross.	Tiscoffin, . . .	Kilkenny.
Scotstown, . .	Monaghan.	Tobercurry, . .	Tobercurry.
Scrabby, . . .	Granard.	Toome, . . .	Ballymena.
Seskinan, . . .	Dungarvan.	Toomevarra, . .	Nenagh.
Shanagolden, .	Glin.	Tralee, . . .	Tralee.
Shercock, . . .	Bailieborough.	Tramore, . . .	Waterford.
Shinrone, . . .	Roscrea.	Trim, . . .	Trim.
Silvermines, . .	Nenagh.	Tuam, . . .	Tuam.
Six Mile Cross, .	Omagh.	Tulla, . . .	Tulla.
Skibbereen, . .	Skibbereen.	Tullagh, . . .	Skibbereen.
Skreen, . . .	Dromore, West.	Tullamain, . . .	Cashel.
Skull, . . .	Skull.	Tullamore, . . .	Tullamore.
Slieveveagh, . .	Macroom.	Tullaroan, . . .	Kilkenny.
Sligo, . . .	Sligo.	Tullow, . . .	Carlow.
Sneem, . . .	Kenmare.	Tullyvin, . . .	Cootehill.
South, . . .	Dunmanway.	Tuosist, . . .	Kenmare.
South City, . .	South Dublin.	Turloughmore, .	Galway.
South District, .	Kilmacthomas.	Tynan, . . .	Armagh.
Stamullen, . . .	Drogheda.	Tyrrellspass, . .	Mullingar.
Stewartstown, .	Cookstown.	Ullid, . . .	Waterford.
Stillorgan (see Blackrock).		Union Hall, . .	Skibbereen.
Strabane, . . .	Strabane.	Urlingford, . .	Urlingford.
Stradbally, . .	Athy.	Valencia, . . .	Caherciveen.
Stradone, . . .	Cavan.	Virginia, . . .	Oldcastle.
Strangford, . .	Downpatrick.	Walshtownmore, E.	Midleton.
Stranorlar, . .	Stranorlar.	Waringstown, . .	Lurgan.
Street, . . .	Granard.	Warrenpoint, . .	Newry.
Strokestown, . .	Strokestown.	Waterford, . . .	Waterford.
Summerhill, . .	Trim.	Wells (see Kille-nagh).	
Swanlinbar, . .	Bawnboy.	Western, . . .	Galway.
Swineford, . . .	Swineford.	Westport, . . .	Westport.
Swords, . . .	Balrothery.	Wexford, . . .	Wexford.
Taghmon & Glynn	Wexford.	Whitechurch, . .	Carrick-on-Suir.
Tallaght, . . .	South Dublin.	Whitechurch, . .	Cork,
Tallow, . . .	Lismore.	Whitechurch, . .	Dungarvan.
Tanderagee, . .	Banbridge.	Whitehouse, . . .	Belfast.
Tarbert, . . .	Glin.	Williamstown, . .	Glennamaddy.
Tartaraghan, . .	Lurgan.	Woodford, . . .	Loughrea.
Templemartin, .	Bandon.	Woodstown, . . .	Waterford.
Templemichael, .	Youghal.	Youghal, . . .	Youghal.
Templemore, . .	Thurles.		

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PART VI.—APPENDIX.

1. ACTS PASSED DURING THE PRINTING OF
THIS VOLUME.

SECRETARY OF POOR LAW COMMISSION.

19 VICT. CAP. 14.

19 VIC. c. 14,
POOR LAW
COMMISSION
SECRETARY
ABOLITION
ACT,
1856.An Act to abolish the Office of Secretary to the Poor
Law Commissioners in *Ireland*.

[11th April, 1856.]

WHEREAS the Office of Secretary to the Commissioners for administering the Laws for Relief of the Poor in *Ireland* is unnecessary, and it is expedient that the same should be abolished: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. From and after the passing of this Act, so much of an Act passed in the Tenth and Eleventh Years of the Reign of Her present Majesty, Chapter Ninety, as provides that the Commissioners for administering the Laws for the Relief of the Poor in *Ireland* shall from time to time, subject to the Approval of the Lord Lieutenant, appoint a Secretary^a, shall be repealed, and the said Office of Secretary shall be abolished; and all Acts of the said Commissioners or of any of them which shall be done in exercise of the Powers and Authorities given to them or any of them by the said recited Act, or by an Act passed in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, Chapter Sixty-eight^b, or by any other Act or Acts, and in reference to which the Counter-signature of the said Secretary was required before the passing of this Act, shall be valid and of full force and effect without such Counter-signature^c.

So much of
10 & 11 Vic.
c. 90, as to
Appoint-
ment of
Secretary to
Poor Law
Commission-
ers repealed,
and Office
abolished.

Acts done
by Commis-
sioners where
Counter-
signature of
Secretary
was hereto-
fore neces-
sary, valid.

^a 9 & 10 Vic. c. 90, § 4 (p. 158).

^b Dispensaries Act, 14 & 15 Vic. c. 68 (p. 207).

^c Under previous acts, the countersignature of the Secretary was required to orders and other instruments under the Seal of the Commissioners in certain cases (10 & 11 Vic. c. 90, § 18, p. 164). Such orders, &c. under Seal, may now be issued with the signature of

RELIEF TO PENSIONERS.

19 VICT. CAP. 15.

19 VIC. c. 15,
1856,
PENSION-
ERS' RELIEF
AND
REPAYMENT
THEREOF.

An Act for further regulating the Payment of the Out-Pensioners of *Greenwich* and *Chelsea* Hospitals.

[11th April, 1856.]

This act recites and repeals that of 9 & 10 Vic. c. 10, from which provisions relating to the relief of Pensioners and the repayment of such relief were extracted in a previous part of this volume (p. 287), before the passing of the present Act.

The following are extracts from the present Act.

EXTRACTS from 19 Vic. c. 15.

9 & 10 Vic. c. 10. "WHEREAS an Act was passed in the Ninth Year of the Reign of Her present Majesty, intituled *An Act for regulating the Payment of the Out-Pensioners of Greenwich and Chelsea Hospitals*^a: And whereas it is expedient to make further Regulations in respect of such Payment: Be it enacted, &c.

Repeal of Recited Act. "§ 1. That the said recited Act^a shall be and the same is hereby repealed, except so far as the same repeals any other Acts or Parts of Acts.

Secretary-at-War to regulate Payment of Out-Pensioners. "2. From and after the passing of this Act, it shall be lawful for the Secretary-at-War for the time being to make such Rules and Regulations for the Management and Payment of the *Chelsea* and *Greenwich* Out-Pensioners, whether residing in the United Kingdom or elsewhere, as shall appear to him best calculated for their and the public Advantage, and upon the Production of such Proof of Title to Pension as he may consider necessary."

Pensions may be paid to the Wives and Children of Pensioners who are out of the United Kingdom. "7. It shall be lawful for the Secretary-at-War, with the Consent of any *Greenwich* or *Chelsea* Pensioner residing temporarily out of the United Kingdom, to pay to or for the benefit of his Wife, or, if he have no Wife, to or for the benefit of his Child or Children, such portion of his Pension as may be agreed upon; and the

any two of the Commissioners, or of the Chief Commissioner or the Commissioner acting as Chief Commissioner, alone, under 14 & 15 Vic. c. 68, § 1 (p. 208), except the Dispensary Orders described in § 2 of the latter Act, which are to be signed by two Commissioners at least (p. 209).

^a 9 & 10 Vic. c. 10; for extracts from this act, now repealed, see p. 287.

Receipt or Acknowledgment of the Person or Persons to whom the same shall be paid shall be a full and sufficient Discharge to the said Secretary-at-War for the Amount so issued by him.

“8. If any *Chelsea* or *Greenwich* Pensioner shall be relieved or become chargeable in *Great Britain* or *Ireland* in respect of Relief afforded to himself, or to any Person whom he is liable to maintain^a, or if in any case the Secretary-at-War for the time being and the Guardians of the Poor of any Union or Parish, or the Overseers of any Parish or Township not under a Board of Guardians, or the Heritors and Kirk Session of any Parish in *Scotland*, think it desirable that the whole or any part of the Pension of such Pensioner should be advanced out of the Poor's Rate or Funds applicable to the Relief of the Poor, it shall be lawful for the Secretary-at-War, by any Writing under his Hand or under the Hand of any Officer or Person employed by him, to agree with such Guardians or Overseers, or Heritors and Kirk Session, for the Repayment to them, out of the Pension of any such Pensioner, of the Amount of Relief so advanced to or expended on his account, not exceeding in any case where Relief has been administered to his Wife or One Child only whom he is bound to maintain^a the Amount of One Half, or where such Relief has been administered to Two or more such Children, or to his Wife and One or more such Child or Children, the Amount of Two Thirds, of his Pension so advanced.

“9. In case any *Chelsea* or *Greenwich* Pensioner shall be or become insane, it shall be lawful for the Secretary-at-War for the time being, upon being satisfied of such Insanity, to order that the Pension of such Insane Pensioner, or so much thereof as shall appear to the said Secretary-at-War to be necessary for his Care and Maintenance, shall be paid to such Guardians of the Poor or Overseers, or Heritors and Kirk Session, or to the Wife, Child, or any other Person to whom the care of such Insane Pensioner may be intrusted, or who may be chargeable for or liable to the Expense of his Care and Maintenance; and the Receipt of the Person or Persons to whom the same shall be so paid shall be a sufficient Voucher and Discharge for so much Money as shall appear to have been paid thereon: Provided always, that where no Claim or Demand shall be made for the Support of any such Insane Pensioner, or where

19 Vic. c. 15,
1856,
PENSION-
ERS' RELIEF
AND
REPAYMENT
THEREOF.

—
Repayment
of Relief
given to Out-
Pensioners.

Lunatic
Pensioners;
Pensions
may be paid
to Guardians,
&c.

^a As to liability to maintain, under the Irish Poor Relief Acts, see 1 & 2 Vic. c. 56, § 53, 54 (p. 42), and 10 Vic. c. 31, § 8 (p. 133).

19 VIC. c. 15, the Charge for his Care and Maintenance does not
 1856, amount to the full Rate of his Pension, then and in
 PENSION- every such case it shall be lawful for the Secretary-at-
 ERS' RELIEF War, at his discretion, to order his Pension, or so much
 AND thereof as may not be necessary for his Care and Main-
 REPAYMENT thereof as aforesaid, to be paid to his Wife or Child or
 THEREOF. Children, if he have any."

GENERAL TENEMENT VALUATION.

19 & 20 VIC.
 c. 63,
 GENERAL
 TENEMENT
 VALUATION,
 1856.

19 & 20 VICT. CAP. 63.

An Act to amend the Acts relating to Grand Juries in
Ireland.

[21st July, 1856.]

This act relates to the applotment and collection of Grand Jury Assessments, and other matters under the Grand Jury Laws. It recites the General Tenement Valuation Act, 1852,—15 & 16 Vic. c. 63 (p. 365), and the Amendment Acts of 1853, 16 Vic. c. 7 (p. 387), and of 1854,—17 Vic. c. 8 (p. 390.) The following is an extract relating to the Valuation, and the Notices required to be given by Clerks of Unions under the first-named Act.

EXTRACT from 19 & 20 Vic. c. 63.

Rates not to
 be affected
 by Errors,
 &c. in
 Valuation.

§ 13. No Rate or Assessment made or hereafter to be made shall be in any matter affected by reason of any Omission of the Clerk of any Board of Guardians or other Person appointed in his place, to give or post the Notices^a of the making of such Valuation or Revision, required to be posted or given by said several recited Statutes or any of them; or by reason of any Error, Omission, Misdescription, or Variance in the making of such Valuation or Revision: and it shall not be necessary in any Suit or other Proceeding for Recovery of or in relation to any such Rate or Assessment or any Part thereof, or in relation to such Valuation or Revision thereof, to give Evidence of the Performance of any of the Preliminaries required in the making of such Valuation or Revision.

^a 15 & 16 Vic. c. 63, § 18 (p. 371); § 21 (p. 372); § 30 (p. 377); § 34 (p. 379);—17 Vic. c. 8, § 5 (p. 392).

PRISONS ACT: 1856.

19 & 20 VICT. CAP. 68.

19 & 20 VIC.
c. 68,
PRISONS
ACT,
1856.An Act to further amend the Laws relating to Prisons
in *Ireland*.

[21st July, 1856.]

EXTRACT.

§ 29. When in any Prison^a any Money shall be found in the Possession or Custody of any Person committed thereto as a Vagrant, or for offending against the Laws in force for the Relief of the Destitute Poor, it shall be lawful for the Board of Superintendence of such Prison^a, or in the case of Bridewells for the auxiliary Board of Superintendence thereof hereinbefore recited, if they shall think fit so to do, to declare such Money to be forfeited, and to apply the same towards the Payment of the Expense of the Maintenance of such Person in such Prison, returning to him or her, upon his or her Discharge, the overplus, if any, of the Money so found.

Vagrants and
offenders
against Poor
Law, to
forfeit money
found on
them on
Committal
to Gaol.

MINISTERS' MONEY ABOLITION ACT, 1857.

The following act abolishes the levy of Ministers' Money, and of the rate substituted for it by the act of 1854^b, but not the payment to Ministers in lieu of such money.

It repeals all but three sections (§ 1, 8, 10) of the act of 1854^b; the first of these sections (§ 1) repealed the act of Chas. II. for the levy of Ministers' Money, which is abolished, as is also the substitute for it; the second (§ 8,) requires the Ecclesiastical Commissioners nevertheless to pay to the Incumbents heretofore entitled to Ministers' Money a fixed annual stipend, of somewhat reduced amount, in lieu thereof; and the third (§ 10,) enables the Commissioners, after such payments, to apply any surplus remaining in their

^a "Prison."—"The Term 'Prison' shall include Gaol, Bridewell, and House of Correction:"—Interpretation Clause (§ 2).

^b 17 Vic. c. 11, (p. 469.)

hands, from whatever source, to the augmentation of livings and providing additional Clergymen in the places heretofore but now no longer subject to Ministers' Money.

The new act appears to leave some questions in a state of uncertainty; but as these have no reference to the Poor Law, it would not be within the object of this volume to refer to them in further detail. The following is the act.

20 & 21 VICT. CAP. 8.

20 & 21 VIC.,
c. 8,
MINISTERS'
RATE ABOLITION ACT,
1857.

An Act to amend the Act 17 & 18 Vict. c. 11, with a view to the Abolition of Ministers' Money in *Ireland*.

[3d July 1857.]

17 Vic. c. 11.

WHEREAS by an Act of the Session of Parliament holden in the Seventeenth Year of the Reign of Her present Majesty, intituled *An Act to amend the Laws relating to Ministers' Money, and the Church Temporalities (Ireland) Act^a*, it is enacted, amongst other things, that the Collector General of Rates within the Municipal District of the City of *Dublin*, and the Boards of Guardians and the Council of each of the Cities or Boroughs of *Cork*, *Limerick*, *Waterford*, *Drogheda*, *Kilkenny*, and *Clonmel*, and the Town Commissioners of *Kinsale*, in their respective Districts, shall cause to be raised in each Parish then liable to the Payment of Ministers' Money, in every Year, in Two equal Sums, the Amount ascertained, approved, and certified under the Provisions of the said Act with respect to such Parish, by means of a Rate, to be assessed and levied as therein provided, on all Houses situated in each such Parish respectively then liable to the Payment of Ministers' Money, and being of the rated Value of more than Ten Pounds; and that the Moneys so levied shall be paid in manner therein provided into the Bank of *Ireland* to a separate Account in the Name of the Paymaster of the Civil Services in *Ireland*; and all Sums paid to such Paymaster shall be paid by him to "The Ecclesiastical Commissioners for *Ireland*;" and it is further enacted by the said recited Act^a, that in case in any Half Year the Sums due on the Houses liable to the said Tax be not raised and paid over to the Paymaster of Civil Services, the same shall, in case of such Default, with re-

spect to any Parish in the immediate District of *Dublin* or in any of the other Cities and Boroughs therein mentioned, become and be a Debt due to the Crown, and recoverable as such from the City of *Dublin*, or from such other City or Borough in which such Default may happen; and the Lord Lieutenant of *Ireland* shall order all Sums which shall become due to the Crown to be recovered and paid to "The Ecclesiastical Commissioners for *Ireland*:" And whereas it is expedient to alter and amend the said recited Act, in order that the said Rate or Tax in lieu of Ministers' Money should cease and determine, and should not, nor should any Arrears thereof, be collected or enforced: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

20 & 21 Vic.,
c. 8,
MINISTERS'
RATE ABOLI-
TION ACT,
1857.

1. The Second, Third, Fourth, Fifth, Sixth, Seventh, Ninth, and Eleventh Sections^a of the said recited Act shall be and are hereby repealed.

Repeal of
§ 2-7, 9, 11
of 17 Vic.
c. 11.

2. No Proceeding shall be hereafter instituted or prosecuted to recover or enforce any Arrears of the said Rate or Tax under the said recited Act.

Arrears of
Ministers'
Rates not
recoverable.

3. Nothing herein contained shall be deemed to lessen or interfere with the Rights of the Incumbents of the several Parishes out of which Ministers' Money was payable, to be paid by the Ecclesiastical Commissioners in manner provided by the Eighth Section^b of the said recited Act.

But Incum-
bents to be
paid by
Ecclesiastical
Commission-
ers, as under
§ 8 of 17 Vic.
c. 11.

2.—SANITARY ACTS, &c.

NUISANCES REMOVAL AND DISEASES PREVENTION ACTS, 1848 AND 1849.

These Acts originally applied to England and Wales, and to Scotland, as well as to Ireland. They were repealed, so far as regarded England and Wales, by an act of 1855, 18 & 19 Vic. c. 121; and amended provisions for similar objects were made for

^a For sections 1, 8, and 10, which remain in force, see p. 470, 473, 474.

^b P. 473-4.

that portion of the United Kingdom by two separate acts, 18 & 19 Vic. c. 116, for the better Prevention of Diseases (called the Diseases Prevention Act,) and 18 & 19 Vic. c. 121 for the Removal of Nuisances, &c., ("the Nuisances Removal Act for England, 1855.") The Acts of 1848 and 1849 have since been further repealed "in so far as they apply to Scotland," by one of the last Session (1856,) 19 & 20 Vic. c. 103, entitled "an Act to make better provision for the Removal of Nuisances, Regulation of Lodging Houses, and the Health of Towns in Scotland." They still remain in force with respect to Ireland.

The following is an Abstract of the provisions of these Acts, unencumbered with those portions which had reference to England, Wales, and Scotland, but did not apply to Ireland. In thus simplifying the acts by the omission of such portions and of phraseology referring to them, the language of the statutes themselves is nevertheless in all other respects retained in these pages; and the places where any words or passages are omitted are indicated by marks (. . .) for the purpose: but the arrangement of the enactments is in some respects varied by the transference of some general provisions applying to the construction of the whole act, from the end to the beginning of the statute.

The provisions of these Acts may be divided into two parts; the one portion, of permanent and continuous operation; the other, transitory and consisting of provisions which may be brought temporarily into operation by Orders in Council, on the appearance or apprehended appearance of any epidemic, endemic, or contagious disease,—such as Cholera, Fever, &c.

The schedule of forms annexed to the first statute is appended to the abstract of it. In another place^a will be found forms founded upon them, but simplified and adapted to proceedings in this country, without reference to other parts of the United Kingdom.

^a Part IV., Forms, No. 62 to 67.

11 & 12 VICT. CAP. 123,

so far as relates to Ireland.

The 11 & 12 Vic. Cap. 123, was passed on 4th September, 1848, and is entitled, "An Act to renew
"and amend an Act of the Tenth Year of Her present
"Majesty, for the more speedy Removal of certain
"Nuisances and the Prevention of contagious and
"epidemic Diseases." The previous Act here referred
to (9 & 10 Vic. c. 96, for the more speedy removal of
certain Nuisances and for enabling the Privy Council
to make regulations for the prevention of contagious
and epidemic Diseases,) was a temporary Act, which
expired with the Session in which the present Act of
11 & 12 Vic. c. 123 was passed.

12VIC. c. 123,
NUISANCES
REMOVAL
& DISEASES
PREVEN-
TION ACT,
1848.

It is sufficient in citing this Act in other statutes, or in legal instruments or other proceedings, to use the words "The Nuisances Removal and Diseases Prevention Act, 1848": (§ 23.)

Mode of
citing this
Act.

PROVISIONS OF PERMANENT OPERATION.

(§ 22.) In this Act, the following words and expressions shall have the meanings hereinafter assigned to them, unless such meanings be repugnant to or inconsistent with the context; that is to say, the words "Justice" and "Justices" shall mean a Justice or Justices of the Peace acting for the place where the matter or any part of the matter, as the case may be, requiring the cognizance of the "Justice" or "Justices" arises; the expression "two Justices" shall mean two or more Justices assembled and acting together, or one Stipendiary or Police Magistrate acting in any Police Court, for the place in which the matter or any part of the matter, as the case may be, requiring the cognizance of "two Justices," arises; . . . the words "Guardians of the Poor" and the words "Parochial Board" shall mean the Guardians, Directors, Wardens, Governors, Parochial Board, or other like officers having the management of the poor for any Union, Parish, Combination, or place where the matter requiring the cognizance of any such officers arises; the word "Street" shall include every highway, road, square, row, lane, mews, court, alley, and passage, whether a thoroughfare or not; the word "Owner" shall mean any person receiving the rents of

Construction
of Act.

"Justice:"
"Justices."

"Two Jus-
tices."

"Guardians
of the Poor."

"Street."

"Owner."

12 Vic. c. 123,
NUISANCES
REMOVAL
& DISEASES
PREVEN-
TION ACT,
1848.

“Person.”

Number:

Gender.

For descrip-
tion of
“Owner” or
“Occupier”
those words
sufficient,
without
name.

In case of
several joint
owners or
occupiers,
one only or
more may be
proceeded
against.

Certain pub-
lic bodies,
upon receipt
of notice in
writing from
two house-
holders, of
the filthy
condition of
any building,
or of the ex-
istence of
certain
Nuisances,
to cause
examination
to be made;

the property in respect of which that word is used, from the occupier of such property, on his own account, or as trustee or agent for any other person, or who would receive the same if such property were let to a tenant; the word “Person,” and words applying to any person or individual, shall apply to and include Corporations, whether aggregate or sole; and words and expressions importing the singular number shall include the plural number; and words importing the masculine gender shall include females.

(§ 19.) Wherever in any proceeding under this Act, whether written or otherwise, it shall become necessary to mention or refer to the owner or occupier of any premises, it shall be sufficient to designate him as the “Owner” or “Occupier” of such premises, without name or further description.

(§ 18.) In case of any demand or complaint under this Act to which two or more owners or occupiers of premises may be jointly answerable, it shall be sufficient to proceed against any one or more of them, without in any manner proceeding against the others or other of them; but nothing herein contained shall prevent the parties so proceeded against from recovering contribution in any case in which they would now be entitled to contribution by law.

(§ 1.) BE it enacted, . . . “that in *England* and *Ireland*, upon receipt (or as soon afterwards as can be) by the Town Council, or by any Trustees or Commissioners for the drainage, paving, lighting, or cleansing, or managing or directing the Police of any city, town, borough, or place, or by any other body of a like nature, or by any Commissioners of Sewers or Guardians of the Poor,—or in *Ireland* by the Officers of Health of any parish^a,—of a notice in writing in the Form contained in the Schedule A, to this Act annexed^b, or to the like effect, signed by two or more inhabitant householders^c of the parish or place to which

^a Appointed under 59 Geo. 3, c. 41. (p. 1105).

^b Page 1098, but see Part IV., Forms, No. 62 to 67.

^c Under § 6 of the Amendment Act 13 Vic. c. 111, all the proceedings to be taken under this section upon a notice signed by householders, may be taken upon a Certificate to the like effect, of a Medical or Relieving Officer of a Union, or of two Constables, in the same manner as if a notice from householders had been received (p. 1103). Under the Common Lodging Houses Act, 1853,—16 & 17 Vic. c. 41, § 9 (p. 1126),—like proceedings may be taken, in regard to a Common Lodging House, by any of the authorities mentioned in the present Act, or by the “local authority” under the Common Lodging Houses Act of 1851, 14 & 15 Vic. c. 28, § 3, 5, (p. 1118, 1120), on receipt of a Certificate of any Police Constable or any officer ap-

the notice relates,—stating that to the best of the knowledge and belief of the persons by whom such notice is signed, any dwelling-house or building in any city, town, borough, parish, or place within or over which the jurisdiction or authority of the Town Council, Trustees, Commissioners, Guardians, Officers of Health, or other body to whom such notice is given, extends, is in such a filthy and unwholesome condition as to be a nuisance to or injurious to the health of any person,—or that upon any premises within such jurisdiction or authority, there is any foul and offensive ditch, gutter, drain, privy, cesspool, or ashpit, or any ditch, gutter, drain, privy, cesspool, or ashpit kept or constructed so as to be a nuisance to or injurious to the health of any person,—or that upon any such premises, swine, or any accumulation of dung, manure, offal, filth, refuse, or other matter or thing, are or is kept so as to be a nuisance to or injurious to the health of any person,—or that upon any such premises (being a building used wholly or in part as a dwelling-house, or being premises underneath any such building,) any cattle or animal are or is kept so as to be a nuisance to or injurious to the health of any person,—such Town Council, Trustees, Commissioners, Guardians, Officers of Health, or other body,—or some Committee thereof which may be temporarily or permanently appointed in this behalf by such Town Council, Trustees, Commissioners, Guardians, Officers of Health, or other body,—shall, after twenty-four hours' notice in writing, by delivering the same to some person on the premises referred to in such first-mentioned notice, or (if there be no person upon the premises who can be so served) by fixing the same upon some conspicuous part of such premises,—or in case of emergency, without notice,—by themselves, their servants or agents, with or without Medical or other assistants, enter such premises, and examine the same with respect to the matters alleged in such first-mentioned notice, and do all such works, matters, and things as may be necessary for that purpose; and if, upon such examination or upon the certificate in writing of two legally qualified Medical practitioners, it appear that any dwelling-house or building so examined is in such a filthy and unwholesome condition as aforesaid, or that upon any premises so examined there is

12 VIC. c. 123,
NUISANCES
REMOVAL
& DISEASES
PREVEN-
TION ACT,
1848.

after twenty-
four hours'
notice
thereof;
or in case of
emergency,
without
notice.

And if upon
such exami-
nation, or a
Certificate of
two Medical
men, it ap-
pear that the
Nuisance,

pointed for the inspection of Common Lodging Houses by such "local authority," of the existence of any of the causes of complaint enumerated in this section, in connection with a Common Lodging House.

&c., exists, public body to make complaint before a Justice, who shall summon the Owner or Occupier to appear before two Justices:

service of summons:

such Justices shall upon proof, &c., order him to cleanse, whitewash, &c., or remove the nuisance complained of, within specified time:

service of order.

If such order be not complied with, the owner or occupier in default, liable to penalties, and public body to enter the premises

any such ditch, gutter, drain, privy, cesspool, ashpit, swine, cattle, or animal, or any such accumulation or other matter or thing as aforesaid, such Town Council, Trustees, Commissioners, Guardians, Officers of Health, or other body, or such Committee, shall make or cause to be made complaint before a Justice, who shall thereupon issue a summons (which may be according to the Form contained in the Schedule B, to this Act annexed^a, or to the like effect,) requiring the owner or occupier of the premises examined to appear before two Justices to answer such complaint; and such summons shall be served by delivering the same, or a true copy thereof, to some person upon the premises in respect whereof complaint is made, or (if there be no person upon the premises who can be so served) by fixing such summons or copy upon some conspicuous part of such premises; and if at the time and place appointed by such summons it be proved to the satisfaction of such Justices that any dwelling-house or building in respect whereof complaint is made is in such a filthy and unwholesome condition as aforesaid, or that any such cause or causes of complaint as aforesaid exists or exist, and (in case such owner or occupier do not appear) that such summons or copy was served as aforesaid, such Justices shall make an order in writing under their hands and seals, (which order may be according to the Form contained in the Schedule C, to this Act annexed^a, or to the like effect,) for cleansing, whitewashing, or purifying such dwelling-house or building, or for the removal or abatement of any such cause or causes of complaint, in such manner and within such time as shall be specified in such order (not being more than two clear days, exclusive of *Sunday*, after service of such order as herein-after directed); and such order shall be forthwith served by delivering the same or a true copy thereof to some person upon the premises in respect whereof it is made, or (in case there be no person upon the premises who can be so served) by fixing such order or copy upon some conspicuous part of such premises; and if such order be not complied with, the owner or occupier against whom it is made shall be liable to a penalty not exceeding ten shillings for every day during the continuance of his default, and the Town Council, Trustees, Commissioners, Guardians, Officers of Health, or other body mentioned therein, shall, by themselves, their servants or agents, or by such Committee as aforesaid,

^a Page 1099: but see Part IV., Forms, No. 62-67.

their servants or agents, enter such last-mentioned premises, and cleanse, whitewash, or purify the same, or remove or abate the cause or causes of complaint in respect whereof the said order shall have been made, and do all such works, matters, and things as may be necessary for carrying such order into effect; and any dung, manure, offal, filth, or refuse, and any other matter or thing removed by any such Town Council, Trustees, Commissioners, Guardians, Officers of Health, or other body as aforesaid, in pursuance of this Enactment, may be destroyed or sold; and in case of sale, the proceeds arising therefrom shall be paid to or (as the case may require) be retained by the Guardians of the Poor, and shall be by them applied in aid of the rate for the relief of the poor of the parish, electoral division, or place, in which such removal shall have been made."

Section 2 related only to Scotland, and contained provisions in effect similar to those in § 1, which had reference to England and Ireland. Section 3 provides for the recovery of the costs and expenses incurred under § 1: and enacts, so far as concerns Ireland, as follows:—

§ 3. Whenever any such order as aforesaid^a, for cleansing, whitewashing, or purifying any dwelling-house or building, or for the removal or abatement of any such cause or causes of complaint as aforesaid^a, has been obtained, all costs and expenses reasonably incurred in obtaining such order, or in carrying the same into effect, shall be deemed to be money paid for the use and at the request of the owner or occupier of the premises in respect whereof such costs and expenses shall have been incurred, and may be recovered as such by the said Town Councils, Trustees, Commissioners, Guardians, Officers of Health, or other body, . . . respectively, as such, in any county court or civil bill court; or such Town Council, "Magistrates^b," Trustees, Commissioners, Guardians, Officers of Health, or other Body, . . . may, if they shall think fit, recover such costs and expenses, before two Justices^c, . . . from the owner or occupier of the premises in respect of which such order is made; and any two Justices^c, . . .

12VIC. c. 123,
NUISANCES
REMOVAL
& DISEASES
PREVEN-
TION ACT,
1848.

and do the
works
ordered, or
remove the
nuisance,&c.:
and manure,
offal, &c.;
may be de-
stroyed, or
be sold and
proceeds
applied in
aid of poor
rate.

Costs and
Expenses of
cleansing,
&c., charge-
able to Owner
or Occupier
of the Pre-
mises;

recoverable
by public
body in ways
provided;

^a Order of Justices under § 1.
^b The word "Magistrates" appears to be introduced here in error.
^c Two Justices or one Stipendiary or Police Magistrate; see interpretation of "two Justices," in § 22, (p. 1085).

12VIC. c. 123,
NUISANCES
REMOVAL
& DISEASES
PREVEN-
TION ACT,
1848.
—

upon the application of any such Town Council, "Magistrates^a," Trustees, Commissioners, Guardians, Officers of Health, or other Body, . . . shall issue a summons, requiring such owner or occupier to appear before them, or before him or them, at a time and place to be named therein; and at the time and place so named, —upon proof to the satisfaction of such Justices, . . . that any such costs and expenses have been so incurred as aforesaid, and (in case such owner or occupier do not appear) that a copy of such last-mentioned summons was served by delivering the same to some person on the premises in respect of which the costs and expenses were incurred, or, if there be no person upon the premises who can be so served, by fixing the same upon some conspicuous part of such premises,—such Justices, unless they think fit to excuse the party summoned, upon the ground of poverty or other special circumstances, shall, by order in writing, . . . under the hands and seals of such Justices, . . . order him to pay the amount to the applicants, together with the costs attending such application and the proceedings thereon; and if the amount be not paid within seven days after demand, the same may by warrant under the hands and seals of the same or any other two Justices^b, . . . be levied by distress and sale of the goods and chattels of the owner or occupier in default; and if no distress sufficient to satisfy the same can be found within the jurisdiction of the Justices . . . by whom such warrant shall have been issued, and it so appear upon oath before two Justices^b . . . of any other county or jurisdiction in which any goods or chattels of the defaulter may be, such last-mentioned Justices shall indorse their . . . signatures . . . upon the last-mentioned warrant, and thereupon the amount to be levied, or so much thereof as may be unsatisfied, shall be levied off the last-mentioned goods and chattels, in the same manner as if such warrant had been originally and properly issued by the Justices . . . of such last-mentioned county or jurisdiction.

and may be
levied by
distress.

Costs and
Expenses not
recovered
from parties,
to be defray-
ed by Trea-
surer out of

§ 4. All costs and expenses reasonably incurred as aforesaid in carrying into effect any of the provisions hereinbefore contained, and not recovered from any owner or occupier of the premises in respect of which such expenses shall have been incurred, shall, [*upon an*

^a The word "Magistrates" appears to be introduced here in error.

^b Two Justices or one Stipendiary or Police Magistrate; see interpretation of "two Justices," in § 22, (p. 1085).

order in writing, specifying the sum to be paid, under the hands and seals of two Justices^a, who are hereby required to make such order, upon proper application in this behalf,] be retained, paid, or defrayed by the Treasurer of such Guardians . . . or other proper Officers or Persons, out of the Funds in their hands applicable to the Relief of the Poor, and shall be charged to the . . . Electoral Division^b, . . . in which the premises in respect whereof such costs and expenses shall have been so incurred are situated: . . . and if any such Treasurer, . . . or Officers or Persons, neglect or refuse to pay the sum specified in any order of Justices, . . . made under this Enactment^a, for the space of twenty-one days after the date of such order, the same may, by warrant under the hands and seals of the same or any other two Justices^c, . . . be levied by distress and sale, together with the costs of such distress and sale, of the goods and chattels of the Treasurer, . . . or other Officers or Persons in default.

Sections 5 and 6 applied only to England and Scotland. The latter section contained provisions requiring the Highway Surveyors, &c., to scour, cleanse, and keep clean, all open ditches, gutters, drains, and watercourses, upon, adjoining, or by or along the sides of any highway.

(§ 7.) Whosoever shall suffer any sewage, drainage, soil, filth, or any matter or thing of a noxious or offensive nature, to run or flow into or to remain in any open ditch, gutter, drain, or watercourse, so as to be a nuisance to or injurious to the health of any person, from any dwelling-house, building, or other premises which shall not have been occupied before the passing of this Act^d, or from any privy or water-closet which shall not have been constructed before that time, shall be deemed guilty of a misdemeanour, . . . and shall, in addition, be liable for every such offence to a Penalty not exceeding Five Pounds for every day during which the offence is continued.

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TION ACT,
1848.

the Poor rate,
&c., upon
order of Jus-
tices to that
effect:
in case of
Treasurer,
&c., failing
to pay, same
may be levied
by distress
and sale of
his goods.

In case of
new Houses,
&c., allowing
Drainage
into open
Ditches,
punishable
as a Misdemeanour, and
with Fine.

^a By § 7 of the Amendment Act, 13 Vic. c. 111, (p. 1103) provision is made for charging costs and expenses incurred by the Guardians upon the Poor Rates, without an order of Justices for the purpose, in cases where an order of Justices for the removal of the nuisance has been had, or where the amount does not exceed 20s.: and see § 8 of Act of 1849, p. 1104-5.

^b See provision in § 14 and note thereon, (p. 1096), as to mode of charging expenses incurred under Directions and Regulations issued in pursuance of § 9 and 10, after an Order in Council for the purposes of that portion of this Act.

^c See note ^b in p. 1090.

^d The Act was passed on 4th September, 1848.

Where new Hospitals intended to be built or opened, Notice to be given to Commissioners; and not to be built or opened without their approval.

(§ 8.) Whenever it is intended in Ireland to build or open any hospital for the reception of patients afflicted with contagious or infectious diseases or disorders, the Trustees or other Persons by whose authority such hospital is intended so to be built or opened . . . shall give notice of such intention . . . (in Ireland,) to the Commissioners of Health hereinafter mentioned^a; and no such hospital shall be built or opened as aforesaid until the said . . . Commissioners of Health . . . have approved thereof in writing; but nothing herein contained shall apply to the building or opening of any addition to a building which shall have been used as a hospital previously to such addition.

PROVISIONS BROUGHT INTO OPERATION FROM TIME TO TIME BY ORDERS IN COUNCIL^b.

For Prevention of Epidemic and other Diseases, Lord Lieutenant and Privy Council empowered to issue Orders for putting in force ensuing Provisions of this Act.

(§ 9.) *And whereas it is expedient that when any part of the United Kingdom shall appear to be threatened with or affected by any formidable epidemic, endemic, or contagious disease, measures of precaution should be taken with promptitude, according to the exigency of the case: Be it therefore enacted, that . . . in Ireland the Lord Lieutenant or other Chief Governor or Governors and Privy Council of Ireland, may, by order or orders to be by them from time to time made, direct that the provisions hereinafter contained, for the prevention of epidemic, endemic, and contagious diseases be put in force in . . . Ireland^b, . . . or in such parts thereof, or in such places therein, as in such order or orders respectively may be expressed; and may from time to time, as to all or any of the parts or places to which any such order or orders may extend, and in like manner, revoke or renew any such order; and subject to revocation and*

^a § 10: i.e. the Commissioners of Health (or Central Board of Health,) appointed in 1847, under the temporary Fever Acts; see observations in p. 236-7. That Board in (existence at the time of the passing of this Act), being temporary only, and having in fact expired with the expiration of the temporary Acts in 1850, provision was made in § 10 of the present act (p. 1094-5), for the appointment of Commissioners for the purposes of this act, in the event of the Board appointed under the Temporary Fever Acts not being in existence when proceedings should be required to be taken under these provisions of the present Act. The Medical Charities Act, 14 & 15 Vic. c. 68, has since provided (§ 1, p. 207,) for the appointment of a Medical Commissioner as one of the Commissioners for administering the Laws for Relief of the Poor in Ireland, and has made those Commissioners (§ 19, p. 222), "the Commissioners for "executing in Ireland the powers and purposes of" the Nuisances Removal and Diseases Prevention Acts, 1848 and 1849, here given.

^b The following are the dates of Orders in Council which have

renewal as aforesaid, every such order shall be in force for six calendar months, or for such shorter period as in such order shall be expressed.

(§ 10.) From time to time after the issuing of any such order as last aforesaid, and whilst the same shall continue in force . . . in Ireland, the Commissioners of Health for the time being^a, under the hands of two or more of them, may issue such directions and regulations as the said . . . Commissioners^a . . . shall think fit, for the prevention, as far as possible, or mitigation, of such epidemic, endemic, or contagious diseases; and from time to time, in like manner, revoke, renew, and alter any such directions or regulations, or substitute such new directions or regulations as to the said . . . Commissioners^a . . . may appear expedient: and the said . . . Commissioners^a . . . may, by such directions and regulations, provide for the frequent and effectual cleansing of streets and public ways and places “by the Surveyors, District or Assistant Surveyors of Highways, Trustees, County Surveyors, and others by Law intrusted with the care and management thereof,” or by the owners and occupiers of houses and tenements adjoining thereto,—and for the cleansing, purifying, ventilating, and disinfecting of houses, dwellings, churches, buildings, and places of assembly, by the owners or occupiers and persons having the care and ordering thereof,—for the removal of nuisances,—for the speedy interment of the dead,—and generally for preventing or mitigating such epidemic, endemic, or contagious diseases,—in such manner as to the said . . . Commissioners^a . . . may seem expedient:

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TION ACT,
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After such orders, Commissioners may issue directions and regulations for prevention or mitigation of such diseases:

and may provide for cleansing of streets, &c., by County Surveyors, Owners, or Occupiers, &c.;

been issued putting these provisions in force in Ireland from time to time:—

Date of Order.	Date of Dublin Gazette in which published.	Duration of Order.
4 October, 1848.	4 October, 1848.	6 Months.
24 March, 1849.	27 March, 1849.	6 Months.
15 Sept., „	18 Sept., „	6 Months.
14 March, „	15 March, „	6 Months: (Expired.)
17 September, 1853.	20 September, 1853.	6 Months.
9 March, 1854.	10 March, 1854.	6 Months.
30 August, „	1 Sept., „	6 Months.
1 March, 1855.	2 March, 1855.	6 Months: (Expired, and not renewed.)

^a See note ^a on § 8, as to Commissioners, (p. 1092.)

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NUISANCES
REMOVAL
& DISEASES
PREVEN-
TION ACT,
1848.

—
and Commis-
sioners may
require Guar-
dians, &c., to
see to exe-
cution of
their direc-
tions.

and the said . . . Commissioners^a may by any such directions and regulations authorize and require the Guardians of the Poor in . . . Ireland, . . . by themselves or their officers, or any persons employed by them in the administration of the Laws for Relief of the Poor, or by officers specially appointed in this behalf, to superintend and see to the execution of any such directions and regulations^b, and (where it shall appear that there may be default or delay in the execution thereof, by want or neglect of such Surveyors, Trustees, or others intrusted as aforesaid, or by reason of poverty of occupiers, or otherwise,) to execute or aid in executing the same "within their respective Unions and Parishes and combinations, and in any extra-parochial places adjoining to or surrounded by the same" in which the directions and regulations of the said . . . Commissioners^a shall not be executed by the inhabitants; and to provide for the dispensing of medicines, and for affording to persons afflicted by or threatened with such epidemic, endemic, or contagious diseases such medical aid as may be required; and to do and provide all such acts, matters, and things as may be necessary for superintending or aiding in the execution of such directions and regulations, or for executing the same, as the case may require: and the directions and regulations to be issued as aforesaid shall extend to all parts or places in which the provisions of this Act, for the prevention of epidemic, endemic, or contagious diseases, shall for the time being be put in force under such Orders as aforesaid^c, unless such directions and regulations shall be expressly confined to some of such parts or places, and then to such parts or places as in such directions and regulations shall be specified; and (subject to the power of revocation and alteration herein contained) shall continue in force so long as the said provisions of this Act shall be in force under such orders^d, in the parts or places to which such directions and regulations shall under this provision extend: Provided always, that if at any time in Ireland there shall not be any Commissioners of Health^e, the Lord Lieu-

Appoint-
ment of
Commission-
ers of Health
for purposes
of this Act.

^a See note ^a on § 8, as to Commissioners, (p. 1092.)

^b Under § 4 of the Amendment Act 13 Vic. c. 111, (p. 1103), the Guardians, &c. may direct prosecutions for non-compliance with the directions of the Commissioners under these acts; and may defray the expense of such prosecutions out of the Poor Rates.

^c Orders in Council, under § 9 (p. 1092).

^d Under § 9, the Orders in Council are to be in force for six months, unless sooner revoked or limited in the order; but the orders may be renewed from time to time: see note ^b in p. 1092-3.

^e See note ^a on § 8, as to Commissioners, (p. 1092.) The proviso in the present section is superseded by § 19 of the Medical Charities

tenant or other Chief Governor or Governors of Ireland, by his or their Warrants, may appoint so many persons as he or they may think fit, not being more in number than five, to act as Commissioners of Health in Ireland, without salary, fee, or reward, and may from time to time remove any of such Commissioners, and appoint any other person in his stead; and such Commissioners shall for all purposes be Commissioners of Health^a in Ireland within the meaning and for the purposes of this Act.

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TION ACT,
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Section 11 relates to the constitution of the General Board of Health for England, but does not apply to Ireland.

(§ 12.) *The Commissioners for administering the Laws for the Relief of the Poor in . . . Ireland . . . may require the officers and persons acting under them, to inquire into, superintend, and report on the execution of the directions and regulations of the . . . Commissioners of Health^a, . . . under this Act, and shall have the same powers for enforcing and directing the execution of such directions and regulations by the said Guardians . . . as they now or may hereafter have in relation to any matter concerning the administration of the Laws for the Relief of the Poor.*

Poor Law
Commis-
sioners may
compel Guar-
dians, &c.,
to execute
regulations
and direc-
tions of the
Commis-
sioners of
Health.

(§ 13.) *The said Guardians . . . acting in the execution of any such directions or regulations as aforesaid, or the officers or persons by them in this behalf authorized, at reasonable times in the daytime, may and they are hereby empowered to enter and inspect any dwelling or place, if there be ground for believing that any person may have recently died of any such epidemic, endemic, or contagious disease, in any such dwelling or place, or that there is any filth or other matter dangerous to health therein or thereupon, or that necessity may otherwise exist for executing, in relation to the premises, all or any of such directions and regulations as aforesaid.*

Power of
Entry by
Guardians,
&c., to in-
spect premi-
ses and for
enforcing re-
gulations of
Commission-
ers of Health,
&c.

(§ 14.) *The said Guardians . . . may appoint or employ, for the superintendence and execution of the said directions and regulations, officers or persons in aid of the officers or persons employed in the administration of the Laws for the Relief of the Poor; and such Guardians . . . shall defray the expenses incurred by them in the superintendence and execution of such directions and re-*

Guardians
may employ
officers for
the above
purposes:

Expenses to
be paid out
of Union
funds.

Act, which devolves the duties assigned by this act to the "Commissioners of Health in Ireland," upon the Commissioners for administering the Laws for Relief of the Poor in Ireland.

^a See note ^a on § 8 as to Commissioners, (p. 1092.)

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& DISEASES
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TION ACT,
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Orders,
directions,
and regula-
tions to be
laid before
Parliament.

Orders in
Council to be
gazetted.
Gazette to
be evidence.

Penalties for
obstructing
Execution of
this Act, or

gulations out of the funds "of their respective Unions, parishes, or combinations^a; and if any such expenses shall have been incurred on account or in respect of any extra-parochial place in England or Ireland, the same shall, upon an order in writing specifying the sum to be paid, under the hands and seals of two Justices, who are hereby empowered to make such order, upon proper application in this behalf, be paid or defrayed out of any public rates or funds raised therein or applicable thereto under the authority of Parliament, or in case there be no such rates or funds as last aforesaid, then out of the funds of the Union or parish for which the Guardians by whom the expenses have been incurred act." . . .

(§ 15.) Every order . . . of the Lord Lieutenant and Privy Council of Ireland, and every direction and regulation of the said . . . Commissioners of Health^b, under this Act, shall, forthwith upon the issuing thereof, be laid before both Houses of Parliament, if Parliament be then sitting; and if not, then within fourteen days next after the commencement of the then next Session of Parliament: and every such order . . . of the Lord Lieutenant and Privy Council of Ireland shall be certified under the hand of one of the Clerks of the Privy Council of Ireland, and shall be published in the Dublin Gazette: and every such direction and regulation as aforesaid, . . . shall be published . . . when issued in Ireland, in the Dublin Gazette: and such publication of any such order, direction, or regulation shall be conclusive evidence of the order, direction, or regulation so published, to all intents and purposes.

GENERAL PROVISIONS.

(§ 16.) Whosoever shall wilfully obstruct any person acting under the authority or employed in the execution of this Act, or who shall wilfully violate any direc-

^a The words "parishes or combinations" appear to refer to England and Scotland. In Ireland, under § 4, (p. 1090,) the expenses payable out of the Poor Rate for the ordinary and permanent provisions of the act, are to be charged to the *Electoral Division*: under the present section, the expenses incurred in execution of the temporary directions and regulations under the Order in Council, are to be defrayed out of the funds of the *Union*; but see § 8 of Act of 1849, and note thereon, (p. 1104-5). The Medical Charities Act of 1851, has since removed some doubts to which these provisions were open, by providing that *all* expenses incurred under these acts and chargeable upon the Poor Rates, (whether under those provisions which are in permanent operation or those brought into temporary operation by Orders in Council,) shall be charged upon the particular *Electoral Divisions* in respect of which they are incurred; 14 & 15 Vic. c. 68, § 19 (p. 223-4).

^b See note ^a on § 8 as to Commissioners, (p. 1092.)

tion or regulation issued by . . . such *Commissioners of Health*^a as aforesaid, under this Act, shall be liable for every such offence to a penalty not exceeding five pounds; and if the occupier of any premises prevent the owner thereof from obeying or carrying into effect the provisions of this Act, any Justice . . . to whom application is made in this behalf, shall, by order in writing, (which may be according to the Form contained in the Schedule D, to this Act annexed^b, or to the like effect,) require such occupier to permit the execution of the works required to be executed, provided that such works appear to such . . . Justice to be necessary for the purpose of obeying or carrying into effect the provisions of this Act; and if within a reasonable time after the making of such order, the occupier against whom it is made refuse to comply therewith, he shall be liable to a penalty not exceeding five pounds for every day afterwards during the continuance of such refusal.

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TION ACT,
1848.

violating re-
gulations of
Commission-
ers of Health:

in case of
occupier pro-
venting
owner from
carrying the
Act into
effect:

(§ 17.) Penalties imposed by this Act for offences committed in . . . Ireland, may be recovered by any person before any two Justices, and may be levied by distress and sale of the goods and chattels of the offender, together with the costs of such distress and sale, by warrant under the hands and seals of the Justices before whom the same shall be recovered, or any other two Justices; and in case it shall appear to the satisfaction of such Justices, before or after the issuing of such Warrant, either by the confession of the offender or otherwise, that he hath not goods and chattels within their jurisdiction sufficient to satisfy the amount, they may commit him to any gaol or house of correction for any time not exceeding fourteen days, unless the amount be sooner paid, in the same manner as if a Warrant of Distress had issued and a Return of *nulla bona* been made thereon; . . . and all penalties whatsoever recovered under this Act shall be paid to or (as the case may require) be retained by the Guardians of the poor, . . . and shall be by them applied in aid of the rates or funds for the relief of the poor of "the Parish, Electoral Division, or place" in which the Penalties may have been incurred.

Recovery of
penalties.

Application
of penalties.

(§ 20.) No order, nor any other proceeding, matter, or thing done or transacted in or relating to the execution of this Act, shall be vacated, quashed, or set aside for want of form, or be removed or removable by certiorari, or other writ or process whatsoever, into any of the superior courts.

Proceedings
not to be
quashed for
want of form,
&c.

^a See note ^a (p. 1092).

^b Page 1101; and see Form, No. 67, in Part IV.

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NUISANCES
REMOVAL
& DISEASES
PREVEN-
TION ACT,
1848.

SCHEDULES TO WHICH THE FOREGOING ACT REFERS^a.

SCHEDULE (A.)^b

Notice by Householders^c.

To the Town Council of the borough of [or Guardians of
the Poor of the union or of the parish of in
the county of or as the case may be; or, in Scotland,
to the Procurator Fiscal of the county of or to the
Procurator Fiscal or Dean of Guild of the burgh of or
to the Procurator Fiscal of the Justices of the county of
or to the Inspector of the poor of the parish of or as
the case may be.]

WE the undersigned inhabitants^c [or in Scotland, house-
holders] of [insert the parish or place], and residing
at in [insert the parish or place before-mentioned] aforesaid,
do hereby give you notice, that to the best of our knowledge and
belief a dwelling-house [or building] situate at No. in
street in aforesaid [or such other description as may be
sufficient to identify the premises] is in such a filthy and unwhole-
some condition as to be a nuisance to (or injurious to the health
of) A.B., or as the case may be [or that upon certain premises
situate at [inserting such a description as may be sufficient to iden-
tify the premises] there is a foul and offensive drain, ditch, gutter,
privy, cesspool, or ashpit, or a drain, &c., kept or constructed so
as to be a nuisance to us, or to the occupiers of the premises ad-
joining the premises aforesaid, or as the case may be, or that upon
certain premises situate at, &c., swine, or an accumulation of
dung, manure, offal, filth, refuse, or matter, or, as the case may
be, are or is kept so as to be injurious to our health, or to the
health of A.B., or of the occupiers of the premises adjoining the
premises aforesaid, or of persons living in the neighbourhood, or
of the persons living in the premises aforesaid, as the case may be,
or that upon certain premises, &c., swine, &c. are kept so as to
be a nuisance to us, &c., as the case may be.] And we hereby
require that you will cause such proceedings to be taken as are
directed in this behalf by the "Nuisances Removal and Diseases
Prevention Act, 1848."

Dated this day of One thousand eight hundred
and

A.B.
C.D.

^a For Forms adapted to proceedings in conformity with this Act
in Ireland alone, see Part IV., Forms, No. 62 to 67.

^b § 1, p. 1086-7; and see preceding note ^a.

^c Instead of a notice by householders, proceedings under § 1 of 12
Vic. c. 123, may be taken upon a certificate to the like effect, of a
Medical or Relieving Officer of a Union, or of two Constables: see
§ 6 of Amendment Act, 13 Vic. c. 111 (p. 1103): and note ^c in p. 1086.

SCHEDULE (B.)^a*Summons to appear.*12 VIC. c. 123,
NUISANCES
REMOVAL
& DISEASES
PREVEN-
TION ACT,
1848.

To the owner [or occupier] of a dwelling-house [or building, or of certain premises,] situate at [insert such a description as may be sufficient to identify the premises].

County of } WHEREAS complaint hath been made to
[or Borough, &c., of } the undersigned, one of Her Majesty's
or Metropolitan Police } Justices of the Peace acting in and for
District, or as the case } the said county of or borough,
may be] to wit. } &c., of], or one of the Ma-
gistrates of the police courts of the metropolis holden at
[or as the case may be], by the Town Council of the borough of
[or as the case may be], that a certain dwelling-house
[or building] situate at No. in the parish of [or as
the case may be] in the county of [or such other descrip-
tion as may be sufficient to identify the premises] is in such a
filthy and unwholesome condition as to be a nuisance to or in-
jurious to the health of A.B., or as the case may be, (or that
upon certain premises situate at [inserting such a description as
may be sufficient to identify the premises] there is a foul and offen-
sive drain, [ditch, gutter, privy, cesspool, or ashpit, or a drain,
&c., kept or constructed so as to be a nuisance to A.B., &c., [as
the case may be,] or that swine [or an accumulation of dung,
manure, offal, filth, refuse, or matter, or as the case may be,] are
[or is] kept so as to be injurious to the health of A.B., or of the
occupiers of the premises adjoining the premises aforesaid, or of
persons living in the neighbourhood of the premises aforesaid, or
of persons living in the premises aforesaid, or a nuisance to A.B.,
&c., as the case may be]. These are therefore to require you to
appear before two of Her Majesty's Justices of the Peace [or one
of the Magistrates of the police courts of the metropolis, at the
court holden at] on the day of next at the
hour of to answer the matter of the said complaint.

Given under my hand and seal, this day of in the
year of our Lord One thousand eight hundred and

J.K. (L.S.)

SCHEDULE (C.)^b*Order for Removal of Nuisances, &c.*

To the owner [or occupier] of the dwelling-house [or building or premises] situate at No. in street in the parish of in the county of [or such other description as may be sufficient to identify the premises], and to the Town Council of the borough of [or to the Guardians of the poor of the Union, or of the parish of in the county of or, in Scotland, the Procurator Fiscal of the county of or the Procurator Fiscal or Dean of Guild of the burgh of or the Procurator Fiscal of the Justices of the Peace of the county of or the Inspector of the poor of the parish of as the case may be], and to their servants or agents, and to all whom it may concern.

^a § 1, p. 1088 : see note ^a in p. 1098.^b § 1, p. 1088 : see note ^a in p. 1098.

12 VIC. c. 123, County of
 NUISANCES
 REMOVAL
 & DISEASES
 PREVEN-
 TION ACT,
 1848.

WHEREAS on the day of last,
 complaint was made before the under-
 signed [or before J.K. esquire, one of
 Her Majesty's Justices of the Peace
 acting in and for the county of
 [or before the undersigned, or J.K. esquire, one of the Magistrates
 of the police courts of the metropolis, or as the case may be] by
 the Town Council of the borough of [or by the Guardians
 of the poor of the union, or of the parish of in the
 county of or, in Scotland, by the Procurator Fiscal of the
 county of or by the Procurator Fiscal or Dean of Guild of
 the burgh of or by the Procurator Fiscal of the Justices
 of the Peace of the county of or by the Inspector of the
 poor of the parish of as the case may be], that a dwelling-
 house [or building] situate at No. in street in [the
 parish or place before mentioned aforesaid, [or such other descrip-
 tion as may be sufficient to identify the premises,] then was in such
 a filthy and unwholesome condition as to be a nuisance [or inju-
 rious to the health of] A.B. or as the case may be, [or that upon
 certain premises situate at [inserting such a description as may be
 sufficient to identify the premises] there then was a foul and
 offensive drain, [ditch, gutter, privy, cesspool, or ashpit, or a
 drain, &c., kept or constructed so as to be a nuisance to A.B.,
 &c., as the case may be] or that upon certain premises, situate
 &c., swine, or an accumulation of dung, manure, offal, filth, or
 refuse, or as the case may be, are or is kept so as to be injurious
 to the health of A.B., or of the occupiers of the premises adjoining
 the premises first aforesaid, or of persons living in the neigh-
 bourhood of the premises first aforesaid, or of persons living in the
 premises first aforesaid, or so as to be a nuisance to A.B., &c. : And
 whereas the owner [or occupier] of the said dwelling-house,
 building, or premises having this day appeared before us, two of
 Her Majesty's Justices of the Peace acting in and for the county
 [or borough] of [or before me, one of the Magistrates of the police
 courts of the metropolis, or, in Scotland, before the Sheriff or
 Magistrates or two Justices of the Peace, as the case may be], to
 answer the matter of the said complaint [or in case the party
 charged do not appear: And whereas it hath this day been
 proved to our [or my] satisfaction, that a true copy of a summons
 requiring the owner [or occupier] of the said dwelling-house [or
 building or premises] to appear this day before us [or me] has been
 duly served according to the statute in such case made and pro-
 vided], and it having been proved [or also proved, as the case may
 require,] that the said dwelling-house [or building] is in such a
 filthy and unwholesome condition as aforesaid [or that upon the
 premises aforesaid [or first aforesaid] there is a foul and offensive
 drain, [privy, cesspool, or ashpit, or a drain, &c., kept or con-
 structed so as to be a nuisance to A.B., &c., as the case may be],
 or that upon the premises aforesaid, or first aforesaid, an accumu-
 lation of dung, manure, offal, filth, or refuse, or as the case may
 be, is kept, or a pigsty exists, so as to be injurious to health as
 aforesaid or so as to be a nuisance to A.B., &c., as the case may be] :
 We [or I] do hereby, in pursuance of the statute in such case
 made and provided, order the said owner [or occupier] of the said
 dwelling-house [or building, or premises, or first-mentioned pre-
 mises within hours from the service of this order, [or a true
 copy thereof,] according to the statute in such case made and pro-
 vided, to cleanse [whitewash or purify] the said dwelling-house
 [or to cleanse, cover, or fill up, or as the case may require, the said

drain, [ditch, gutter, privy, cesspool, or ashpit, or otherwise as the case may require], or remove the said pigsty, or accumulation of dung, offal, filth, refuse, or matter, as the case may be, so that the same shall not be injurious to health, or a nuisance as aforesaid]; and if this order be not complied with, then we [or I] authorize and require you the said Town Council [or Guardians of the poor, or, in Scotland, the Procurator Fiscal of the county of or the Procurator Fiscal or Dean of Guild of the burgh of or the Procurator of the Justices of the Peace of the county of or the Inspector of the poor of the parish of as the case may be] to enter upon the said dwelling-house, [or building, or premises, or first-mentioned premises,] and to do all such works, matters, and things as may be necessary for carrying this order into effect, according to the statute in such case made and provided.

And for your so doing this shall be your sufficient warrant.

Given under our hands and seals [or my hand and seal, or, in Scotland, our hands, or my hand], this day of One thousand eight hundred and

Signatures. { (L.S.)*
(L.S.)*

* [In Scotland without Seals.]

SCHEDULE (D.)^a

Order to permit Execution of Works by Owners.

County of } WHEREAS complaint hath been made to
[or Borough, or Burgh, } me, *E.F.*, esquire, one of Her Majes-
or Metropolitan Police } ty's Justices of the Peace in and for
District, or as the case } the county [or borough, &c.] of
may be,] to wit. } [or one of the Magistrates of the police
courts of the metropolis, or as the case may be, or, in Scotland, to
me *G.H.*, Sheriff, or one of Her Majesty's Justices of the Peace,
as the case may be, of the county of] by *A.B.*, owner
within the meaning of the "Nuisances Removal and Diseases
Prevention Act, 1848," of certain premises, to wit, a dwelling-
house, [or building, or as the case may be], situate [insert such a
description of the premises as may be sufficient to identify them],
in the parish of in the said county [or borough, &c.,] that
C.D., the occupier of the said premises, doth prevent the said
A.B. from obeying and carrying into effect the provisions of the
said Act, in this, to wit, that he, the said *C.D.*, doth prevent the
said *A.B.* from [here describe the works generally according to the
circumstances; for instance, thus: cleansing, or whitewashing or
purifying the said dwelling-house, [or building,] or cleansing a
foul and offensive drain, [ditch, gutter, privy, cesspool, or ashpit,]
which exists upon the said premises, or as the case may require]:
And whereas the said *C.D.*, having been summoned to answer
the said complaint, and not having shown sufficient cause against
the same, and it appearing to me that the said works are necessary
for the purpose of enabling the said *A.B.* to obey and carry into
effect the provisions of the said Act, I do hereby order that the
said *C.D.* do permit the said *A.B.*, to execute the same in the
manner required by the said Act.

^a § 16 (p. 1097): see note ^a in p. 1098.

12VIC., c. 123, Given under my hand and seal [*or, in Scotland, under my*
 NUISANCES hand] this day of in the year of our Lord, One
 REMOVAL thousand eight hundred and
 & DISEASES
 PREVEN-
 TION ACT, E.F. (L.S.)*
 1848. * [*In Scotland without Seal.*]

12 & 13 VIC.,
 c. 111.

12 & 13 VICT. CAP. 111.

This act, entitled "An Act to amend the Nuisances Removal and Diseases Prevention Act, 1848," was passed on 1st August, 1849; and provides that it
 11 & 12 Vic., "shall be deemed to be part of 'the Nuisances Removal
 c. 123. "and Diseases Prevention Act, 1848,' and shall be
 "construed accordingly" (§ 1). It will be sufficient, in citing the present Act, to use the words "The Nuisances Removal and Diseases Prevention Amendment Act, 1849;" (§ 13.)

The following is an Abstract of such of its provisions as apply to Ireland, and are still in force. Two other sections of the act (§ 9, 10) gave power to the then Commissioners of Health for Ireland^a, to cause inquiry to be made into the state of the Burial Grounds in any populous City or Town, and to issue orders for the adoption of measures of precaution by the application of disinfecting substances or otherwise, where a burial ground was found in a state dangerous to the health of persons living in its neighbourhood: and power was given to the Churchwardens, where further provisions for interments was urgently required, to make agreements with any Cemetery Company or neighbouring parish for burials in their grounds, with the consent of the Bishop and the approval of the Commissioners of Health; and subject also to the decision of the Vestry of the neighbouring parish, where the agreement was proposed to be made with such parish. These provisions were, however, of temporary operation, and expired at the end of the Session next after the passing of the Act. Provision has since been made for the closing of old and overfilled burial grounds and the

^a See note ^a p. 1092.

provision of fresh ones, by the Burial Grounds (Ireland) Act, 1846, which will be inserted hereafter, (p. 1130).

(§ 4.) *The “Guardians, Directors, Wardens, Governors, or Overseers of the Poor, or Parochial Board, or other like Officers having the Management of the Poor, or acting under the Authority of any Local Act of Parliament for the paving, cleansing, drainage, or lighting any Town or Parish,” may from Time to Time direct any Prosecutions or legal Proceedings for or in respect of the wilful Violation or Neglect of any Direction or Regulation issued . . . in Ireland [by the] Commissioners of Health^a, under the Nuisances Removal and Diseases Prevention Act, 1848; and may defray the Expenses of such Prosecutions or Proceedings out of the Funds in their Hands applicable to the Relief of the Poor.*

(§ 5.) Justices of the Peace, being *ex-officio* Guardians of the Poor, may in all Cases, notwithstanding their holding the office of Guardian, exercise in Petty Session the Jurisdiction vested in them as Justices of the Peace under the Nuisances Removal and Diseases Prevention Act, 1848.

(§ 6.) “Guardians, Directors, Wardens, Governors, Overseers, or Parochial Board, or other like Officers having the management of the Poor, or acting under such authority as aforesaid^b,” upon the Receipt of a Certificate of any Medical or Relieving Officer of the Union “or Parish” for which any such Guardians, Directors, Governors, Overseers of the Poor, or Parochial Board, or other Officers act, stating the existence of any of the Cause, or Causes of Complaint specified in Section 1 . . . of the Nuisances Removal and Diseases Prevention Act, 1848^c, . . . or . . . upon the Receipt of a like Certificate of any Two Constables of the Constabulary Force of the District or Place, or of any Two Constables of the Dublin Police within the Dublin Police District, shall take all such proceedings as by the said Section . . . [is] required to be taken upon the Receipt of a Notice in Writing signed by Two Inhabitant Householders, and in the same manner (as nearly as may be) as if such Notice had been given.

(§ 7.) Whereas it is enacted by the Nuisances Removal and Diseases Prevention Act, 1848, that all Costs and Expenses reasonably incurred in carrying

13VIC., c.111,
NUISANCES
REMOVAL
& DISEASES
PREVEN-
TION ACT,
1849.

Guardians,
&c., may
direct Pro-
secutions for
non-compli-
ance with
directions of
Central
Board of
Health under
11 & 12 Vic.,
c. 123 :

and may
defray Ex-
penses out of
Poor Rate.

Justices may
act, although
Guardians.

Guardians,
&c., may
proceed for
Removal of
Nuisances,
&c., upon
Certificate of
Medical or
Relieving
Officer, or of
two Con-
stables.

Guardians,
&c., may
defray Costs
and Expenses

^a See note ^a in p. 1092, as to the Commissioners of Health.

^b i.e. Authority of a local act, § 4.

^c 12 Vic. c. 123 § 1, (p. 1086).

13VIC., c. 111,
NUISANCES
REMOVAL
& DISEASES
PREVEN-
TION ACT,
1849.

—
in certain
cases, with-
out an Order
of Justices
for same.

into effect certain Provisions therein contained, and not recovered from any Owner or Occupier of the Premises in respect of which such Expenses shall have been incurred, shall, upon an Order in Writing, specifying the sum to be paid, under the Hands and Seals of Two Justices, . . . be retained, paid, or defrayed by the Treasurer of the Guardians of the Poor, . . . or other proper Officers, out of the Funds in their hands applicable to the Relief of the Poor^a; and it is expedient that such Costs and Expenses should be retained, paid, and defrayed in certain Cases without an Order of Justices.

. . . Be it therefore enacted, That whenever any such Costs and Expenses shall have been or shall be reasonably incurred by any "Guardians, Directors, Wardens, Governors, Overseers of the Poor, or Parochial Board, or other like Officers having the Management of the Poor," and the same shall not have been recovered from the Owner or Occupier of the Premises in respect of which such Costs and Expenses shall have been incurred, such Costs and Expenses may, where an Order shall have been made by the Justices for the Removal or Abatement of the Nuisance, or in any Case where the Amount shall not exceed Twenty Shillings, be retained, paid, and defrayed by the Treasurer of such Guardians, [or by such Directors, Wardens, Governors, Overseers, or Parochial Board, or other like Officers, as the Case may be,] out of the Funds in their Hands applicable to the Relief of the Poor, without the Order of any Justice or Justices of the Peace, any thing in the said Act to the contrary notwithstanding, and be charged as in the said Act directed.

Guardians of
Unions or
Parochial
Boards may

(§ 8.) "*Where the Guardians of a Union, or Parochial Board, shall, in the execution of any Order or Regulation of the Board of Health^b issued under the*

^a § 4 of 12 Vic. c. 123 (p. 1090).

^b The applicability of this section to Ireland appears doubtful. It applies only where the Guardians, &c. are acting "in the execution of any Order or Regulation of the *Board of Health*," under the Act of 1848. The section appears intended to apply to England and Scotland, and also to Ireland, the term "Electoral Division" being applicable to Ireland alone. But the Orders or Regulations of the "Board of Health," or the General Board of Health for England, do not run in Ireland, where the English Board has no jurisdiction; and the "Commissioners of Health for Ireland," so described by their proper title in other parts of these Acts, are nowhere referred to by the title of the "Board of Health," which can hardly be accurately used to include both of the two distinct and differently named bodies, namely, the Board of Health for England, and the Commissioners of Health for Ireland. See note ^a in p. 1092.

authority of the said hereinbefore mentioned Act^a, expend any Money in the Removal or Abatement of a Nuisance from any private Premises or Land, or from any Public Place, they may, if they think fit, charge the same, where the Expenses do not exceed Twenty Shillings, to the Parish or Place or Electoral Division in the Union or Combination wherein the Premises shall be situated in respect whereof such Expenses shall have been incurred, and where they exceed Twenty Shillings, and the Guardians or the Majority of the Guardians, if more than Two Guardians of such Parish, Electoral Division, or Place, object in writing to the said Expenses being so charged, then only upon an Order in Writing under the Hands and Seals of Two Justices, or in Scotland under the Hands of the Sheriff or Magistrates, or Two Justices, who are hereby required to make such Order, upon application on behalf of such Guardians."

13 VIC., c.
111,
NUISANCES
REMOVAL
& DISEASES
PREVEN-
TION ACT,
1849.

charge Ex-
penses of re-
moving Nui-
sances on
Parish, &c.,
where Pre-
mises situ-
ated.

59 GEO. III. CAP. 41.

An Act to establish Regulations for preventing Con-
tagious Diseases in *Ireland*.

59 G. 3, c. 41,
OFFICERS OF
HEALTH.
(Act of 1819.)

[*Passed, 14 June 1819.*]

The following is an Abstract of provisions of this act, relating to the appointment and powers of Officers of Health, who are referred to in the provisions of the Nuisances Removal and Diseases Prevention Acts, contained in the preceding pages.

By 59 Geo. III. c. 41, Officers of Health are *required* to be appointed by Vestry (within one month after every 25th March) in every city or town containing 1000 inhabitants, or in any city or town where the Lord Lieutenant may direct that the act be carried into effect: not less than two nor more than five Officers of Health to be appointed, and to remain in office for one year, and until new officers be appointed, (§ 1.) If in such cases the inhabitant householders fail to appoint such officers within the time required, the Justices in Quarter Sessions are to appoint them, (§ 6.)

Appointment
of Officers of
Health.

^a 12 Vic. c. 123, Nuisances Removal and Diseases Prevention Act, 1848.

59 G. 3, c. 41,
OFFICERS OF
HEALTH.
(Act of 1819.)

In *any other* parish or place than the above, the inhabitant householders in Vestry *may* in like manner, if they think fit, appoint such officers, (§ 3.)

The Churchwardens may be elected Officers of Health, and in that case are authorized and required to act as such, (§ 5.)

The Officers of Health are to act without Salary; but the Expenses incurred by them in execution of the Act, not exceeding sums to be limited and determined on in Vestry, are to be levied in the same manner as other parochial assessments, and to be accounted for in manner provided (§ 2). Where the vestry have failed to appoint Officers of Health, and the appointment is made by the Justices in Quarter Sessions, as above, the latter may appoint and limit the assessment, which in that case is to be levied in the same manner as if made by Vestry, (§ 6.)

As to the Powers of Officers of Health, the act provides as follows:—

Powers of
Officers of
Health for
prevention of
Disease;
cleansing,
removal of
nuisances,
&c.

“§ 7. And be it further enacted, That it shall and may be lawful for any One or more of the Persons so to be appointed Officers of Health, and he and they is and are hereby authorized, empowered, and required, to cause and direct all Streets and Lanes, and all Yards and Courts adjoining thereto, and all Houses let in several Tenements to Room-keepers, and the Yards, Gardens, or Places, belonging to such Houses, to be cleansed and purified, and all Nuisances prejudicial to Health to be removed therefrom; and all Public Sewers to be cleansed, and where necessary, to be covered over; and all Lodgments of standing Water to be filled up or drained off; and also to cause and direct all other Matters and Things to be done for the Ventilation, Fumigation, and cleansing of any House whatever, in which Fever or other Contagious Distemper shall have occurred, and for the washing and purifying the Persons and Clothes of the Inhabitants of every such House, as shall appear to any such Officer of Health to be indispensably necessary for the Preservation and Security of the Inhabitants of such Parish against the Danger of Contagion, unless due Precautions shall have previously been taken for such Purposes by the Inhabitants of such House; and it shall be lawful for all Constables and Peace Officers, and they are hereby au-

Constables
required to
aid Officers
of Health.

thorized, empowered, and required, to be aiding and assisting to such Officers of Health in the doing all Matters and Things whatsoever in the Execution of this Act.

59 G. 3, c. 41,
OFFICERS OF
HEALTH.
(Act of 1819.)

“ 8. And be it further enacted, That in any Parish or Parishes in any City or Town where any such Officers of Health shall be appointed as aforesaid, and where no Power or Authority is or shall be vested in or given to Magistrates or Corporation of such City or Town, to regulate the sweeping and cleansing of the Streets therein, and the collecting and disposing of the Dirt, Dung, and Filth of the said Streets,—and also in any City or Town whatever where the Scavengers or other Persons who shall be intrusted with or contract for the cleansing and sweeping of the Streets, under the Direction of the Magistrates or Corporation or not, shall neglect or omit to cleanse and sweep the Streets and Lanes of such City or Town, twice at least in every Week,—it shall and may be lawful for such Officers of Health to cause and direct such Streets to be swept and cleansed, and the Dirt, Dung, and Filth collected from the same to be sold and disposed of, and the produce thereof to be applied for the Purposes of this Act, and in diminution of the Charge on the Parish for which such Officers shall be appointed: Provided always, that in all Cases where the Magistrates or Corporation of any City or Town have or shall have Power and Authority to regulate the sweeping or cleansing of the Streets, or where any Scavenger or other Person shall be appointed or shall have contracted for that Purpose, the said Officers of Health shall give Twenty-four Hours' Notice to the Chief Magistrate of such City or Town, and to the Scavenger or other Person contracting for the cleansing of such Streets, of the Neglect or Omission to sweep and cleanse the same; and that at the Expiration of such Twenty-four Hours, in case the said Streets shall not be duly swept and cleansed, it shall be lawful for the said Officers of Health to cause the same to be swept and cleansed, and the Produce thereof to be disposed of as aforesaid, any Act, Charter, Law, Usage or Custom to the contrary notwithstanding.

Officers of
Health may
in certain
cases, order
streets to be
cleansed;

and Produce
disposed of
for the
Purposes of
this Act:

Notice to be
given to Chief
Magistrate in
certain cases.

“ 9. And for the preventing the Danger of Contagion and other Evils, from the unrestrained Intercourse of strolling Beggars, Vagabonds, and idle poor Persons seeking Relief; be it enacted, That from and after the passing of this Act, it shall and may be lawful for any one Justice of the Peace within his Jurisdiction, or for any Churchwarden of any Parish in any City, Town, or Place in *Ireland*, or for any Officer of Health appointed in any Parish in pursuance of this Act, and they are

Beggars, &c.,
may be ap-
prehended by
a Justice,
Church-
warden, or
Officer of
Health;
and may be
confined,
cleansed, and
removed:

59 G. 3, c. 41,
OFFICERS OF
HEALTH.
(Act of 1819.)

Quarter Ses-
sions may
provide a
place of con-
finement for
beggars, &c.

Beadles and
Constables to
assist.

Penalty on
Persons
resisting
Justices,
Church-
wardens, or
Officers of
Health, in
execution of
this Act.

hereby respectively empowered and required, to apprehend all idle poor Persons, Men, Women, or Children, and all Persons who may be found begging or seeking Relief, or strolling or wandering as Vagabonds within any Parish or Place, and to direct and cause all such idle Persons, Beggars, and Vagabonds to be removed and conveyed out of and from such Parish and Place, in such Manner and to such Place as the Nature of the Case may require; and it shall and may be lawful for any such Justice of the Peace, upon his own View, or upon the Complaint of any Churchwarden or Officer of Health to commit any such strolling Beggar or Vagabond, or idle poor Person, to any Bridewell or House of Correction, or other public Place of Confinement, for any Time not exceeding Twenty-four Hours previous to their Removal or Departure out of such Parish; and it shall and may be lawful for any Churchwarden or Officer of Health in such Parish, during such Period of Twenty-four Hours, to cause the Persons and Clothes of such idle poor Persons, Beggars, or Vagabonds so committed, to be washed and cleansed; and it shall be lawful for the Justices of any County, City, or Town assembled at any Quarter Sessions or Adjournment thereof, to constitute and appoint any suitable unoccupied Building to be a Bridewell or Place of Confinement for such idle Persons, Beggars, and Vagabonds, with the Consent and Approbation of the Owner of such House or Building, and to apply to and agree with such Owner for such Purpose accordingly; and every Beadle, Constable, and Peace Officer within their respective Districts or Jurisdictions, shall be and are hereby required to be assistant to the said Justices of the Peace, Churchwardens, and Officers of Health, in such Apprehension, and Confinement, and Treatment of such idle poor Persons, Beggars, and Vagabonds, pursuant to the Provisions of this Act.

“ 10. And be it further enacted, That if any Person or Persons shall resist or oppose any Justice of the Peace, Churchwarden, or Officer of Health, in the Execution of the Powers of this Act, or in the doing or performing of any Matter or Thing in the Execution of this Act, every such Person or Persons so guilty of resisting or opposing shall, on Conviction thereof before any Two Justices of the Peace or Magistrates within their Jurisdiction, on the Oath or Affirmation of any one or more credible Witness, or on the Confession of the Party so offending, incur such Penalty, not less than Ten Shillings nor more than Five Pounds, as such Justices of the Peace or Magistrates shall in their

Discretion think proper to adjudge and inflict; or in Failure of making Payment of such Fine, such Offenders shall and may be committed to the Common Gaol or House of Correction for any Time not exceeding Three Calendar Months; and no such Conviction shall be quashed for Informality, nor shall be removed or removable by *Certiorari* or otherwise, nor subject to any Appeal whatever.”

59 G. 3, c. 41,
OFFICERS OF
HEALTH.
(Act of 1819.)

7 GEO. IV. CAP. 72:—VESTRY ACT.

The following are provisions of the Parish Vestry Act, 7 Geo. 4, c. 72, authorizing the supply, out of the Parish Cess, of Coffins for the burial of poor persons, not otherwise specially provided for.

7 G. 4, c. 72,
COFFINS.

“§ 10. And Whereas Doubts have been entertained whether any Assessments can be lawfully made of any Sums for providing Coffins for the Interment of Poor Persons dying in any Parish, Union, or Chapelry in Ireland; Be it therefore enacted, That from and after the commencement of this Act Assessments may be lawfully made for such purposes: Provided always, that no Sum or Sums shall be expended by any Churchwarden or Chapelwarden of any Parish, Union, or Chapelry, for any such purposes, unless a Certificate be first given to such Churchwarden or Chapelwarden, signed by six or more Householders who are rated to, and shall have paid, the Parish Cess in such Parish, Union, or Chapelry, of whom a Justice of the Peace (if any such be resident within the Parish) shall be one, that in their opinion it is proper and necessary that such Coffins shall be respectively so provided at the expense of such Parish, Union, or Chapelry, and that the Relatives of the Deceased have not the means to defray the expense thereof.

Parish
assessments
may be made
for Coffins
provided for
poor people
deceased:

Churchward-
ens may pay
for Coffins,
on Certificate
of Six House-
holders that
relatives have
not means,
&c.

“11. And be it further enacted, That every Assessment of any Sum or Sums for or in respect of all or any of the matters in this present Act mentioned, including Salaries for Parish officers, shall be made in Easter Week: Provided always, that if in any Case such Assessment shall not have been made in Easter Week, it shall be lawful for the Bishop of the Diocese in which such Parish, Chapelry, or Union shall be situate to appoint any other Day and Time for the making of any such Assessment, to be signified and directed in Writing by such Bishop to the Churchwardens or Churchwarden of any Parish, Chapelry, or Union.”

Assessments
to be made in
Easter-week:
but if not
then made,
the Bishop
may appoint
other time for
making
assessments.

58 G. 3, c. 47,

58 GEO. III. CAP. 47.

LOCAL
BOARDS OF
HEALTH.

(Act of 1818.)

The 58 Geo. 3, c. 47, passed 30th May, 1818, and entitled "An Act to establish Fever Hospitals, and to make other Regulations for Relief of the suffering Poor, and for preventing the Increase of infectious Fevers in *Ireland*," provides as follows :—

In case of infectious or epidemic disease appearing, one Magistrate or more may convene a Public Meeting :

"§ 10. And whereas it is expedient that effectual Provision should be made for preventing the spreading of Fevers or contagious Disorders whenever such shall happen in any parts of *Ireland*, and that the Powers requisite for that Purpose should be exercised only during the Emergency which may call for the same; Be it therefore enacted, That whenever in any City, Town, or District, any Fever or contagious Distemper shall appear or be known to exist among the poor Inhabitants, it shall and may be lawful for any One or more Magistrates, upon the Requisition of Five respectable Householders, to convene a Meeting of the Magistrates and Householders of such City, Town, or District, and of the Medical Practitioners within the same, in order to examine into the Circumstances attending such Fever or contagious Distemper, and the number of Persons or Families being Sufferers thereby; and if it shall be the Opinion of such Meeting, and of One or more Magistrates attending, that such Fever or contagious Distemper is of a Nature to require particular Attention and Circumspection to prevent the Increase of the Contagion thereof, it shall be lawful for Two or more Magistrates, authorized by such Meeting, to join in an Application to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to appoint a Board of Health within and for such City, Town, or District; and it shall be lawful for such Lord Lieutenant or other Chief Governor or Governors of *Ireland* to appoint such Board accordingly, to consist of not more than Thirteen Commissioners, to be selected from among the Governors or Members of the Corporation of any Infirmary or Fever Hospital or other Hospital, and from the Parishioners and Medical Practitioners, to act within such City, Town, or District, in such Manner and under such Regulations as such Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or his or their Chief Secretary, shall from Time to Time order, direct, and appoint.

which may authorize two or more Magistrates to apply to Lord Lieutenant to appoint a local Board of Health :

Lord Lieutenant may appoint local Board as specified :
and prescribe regulations for them.

Powers of local Board of Health for prevention

"11. And be it further enacted, That it shall be lawful for the Commissioners so to be appointed for the forming such Board of Health, or any Five of them, to

give all such Directions for the doing and performing all Acts, Matters, and Things necessary for the preventing the Communication of Contagion, and for restoring the Sick to Health, as shall to such Commissioners seem necessary and expedient: and for that Purpose to direct that all Streets, Lanes, and Courts, and all Houses and all Rooms therein, and all Yards, Gardens, or Places belonging to such Houses, shall be cleansed and purified, and that all Nuisances prejudicial to Health shall be removed therefrom; and that all Houses in which any sick Person shall be or shall have been, shall be ventilated, fumigated, and whitewashed, the Windows and Doors thereof opened, and all Beds, Bedsteads, Bedding, and Furniture therein, be exposed to the Air, and be washed and cleansed, and if absolutely necessary, to be burned or destroyed; and that some Mark, Number, or Token shall be affixed on any House in which any Inhabitant is infected with Fever, denoting that some or one of the Inhabitants therein are so infected; and to direct that all other Measures shall be carried into Execution which to such Commissioners shall seem requisite for the Purposes aforesaid.

“12. And be it further enacted, That it shall and may be lawful for the said Commissioners so to be from Time to Time appointed for forming such Board of Health, to employ any Person or Persons in the Execution of the several Powers to be exercised by them under this Act; and that it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, to order any Sum or Sums of Money to be from Time to Time advanced out of the growing Produce of the Consolidated Fund in *Ireland*, for the Payment of the actual Expenses incurred by or under the said Commissioners in the Execution of such Powers; and that all sums of Money so to be advanced shall be raised by Presentments to be made by the Grand Juries, and raised off the County, or County of a City or Town, in which such Expense shall be incurred.”

The Grand Jury Act 6 & 7 Wm. 4, c. 116, passed in 1836, afterwards directed in § 1, that after the commencement of that act, Grand Jury Presentments for raising any Money should only be made under the authority and by virtue of the provisions of the latter act, § 90 of which enacts,—

“That whenever the Lord Lieutenant of Ireland shall at any Time have ordered any Sum or Sums of Money to be advanced out of the Consolidated Fund,

58 G. 3, c. 47,
LOCAL
BOARDS OF
HEALTH.
(Act of 1818.)

and cure of
disease:
cleansing and
removal of
nuisances,
&c.

Local Board
of Health
may employ
Persons for
purposes of
the Act:

Money may
be advanced
by Lord
Lieutenant
for Expenses:

to be after-
wards raised
by Present-
ment.

6 & 7 Wm. 4,
c. 116,
GRAND JURY
ACT.

Present-
ments for
expenses of
local Boards
of Health:
provisions
from Grand
Jury Act,
6 & 7 Wm. 4,
c. 116.

6 & 7 WM 4,
c. 116,
GRAND JURY
ACT.

for the Payment of the Expenses incurred by any Commissioners appointed by such Lord Lieutenant or other Chief Governor or Governors, to form a Board of Health in any City, Town, or District, it shall be lawful for the Grand Jury of any County in which such Expenses shall be or have been incurred, and they are hereby required, to present, without previous Application to Presentment Sessions, all Sums so advanced to be raised off such County: Provided always, however, that it shall be lawful for the Lords Commissioners of His Majesty's Treasury, if they shall think fit, to direct that such Sum shall be repaid by such Instalments as they may think proper."

58 G. 3. c. 47
LOCAL
BOARDS OF
HEALTH.
(Act of 1818.)

Similar provision is contained in regard to the County of Dublin, in the Grand Jury Act for that County, 7 & 8 Vic. c. 106, § 26.

The 58 Geo. 3, c. 47, continues:—

Penalty on
Persons re-
sisting Per-
sons acting
under Local
Board of
Health, in
execution of
this Act.

"§ 13. And be it further enacted, That if any Person or Persons shall resist or oppose any Person or Persons employed by or under the Orders of the said Commissioners so to be from Time to Time appointed for forming a Board of Health, in any County, City, Town, or Place, in the Execution of the Powers of the said Commissioners under this Act, or in the doing or performing any Matter or Thing in Execution of this Act under the Orders of the said Commissioners, every such Person or Persons so guilty of resisting or opposing shall, on Conviction thereof before any Two Magistrates within his Jurisdiction, on the Oath or Affirmation of One or more credible Witness, or on the Confession of the Party so offending, incur such Penalty, not less than Ten Shillings nor more than Five Pounds, as such Magistrates shall in their Discretion think proper to adjudge and inflict; or in failure of making Payment of such Fine, such Offender shall and may be committed to the Common Gaol or House of Correction for any Time not exceeding Three Months; and no such Conviction shall be quashed for informality, nor shall be removed or removable by Certiorari or otherwise, nor subject to any Appeal whatever.

Local Board
of Health
may on certi-
ficate of a
Medical
Practitioner
remove
infected
Persons into

"14. And be it further enacted, That in all Places where Fever Hospitals or other Places for the Reception of poor Persons being disordered with Fever or other infectious Malady shall be established, it shall and may be lawful, upon the Certificate of any Physician, Apothecary, or Surgeon, that any Person is infected with such Fever or other infectious Malady, and that

such Person so infected is not under proper Medical Care, and placed in such Circumstances and under such Precautions as may most probably tend to prevent the Communication of Contagion to his Family or Neighbours, for the Commissioners forming any such Board of Health, or any Five of them, to order or direct, by Warrant under their Hands and Seals, after due and exact Inquiry into the Circumstances of the Case, that such Person so infected, and not being under such Medical Care and placed in such Circumstances of Prevention as aforesaid, shall forthwith be removed into and placed in such Fever Hospital, or such other Place as shall be established for the Reception of such Patients ; and such infected Person shall be removed and placed therein accordingly ; Provided always, that the said Commissioners so forming any such Board of Health shall, in all Cases of such compulsory Removal of any Person or Persons into such Fever Hospital, make a special Report or Notification thereof, under the Hands of Five of the said Commissioners, to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or to his or their Chief Secretary, within Two Days after such Removal shall take place.

58 G. 3, c. 47,
LOCAL
BOARDS OF
HEALTH.
(Act of 1818.)

Hospitals, in
manner pro-
vided :

such cases to
be specially
reported to
Lord Lieu-
tenant within
two days
after re-
moval.

“ 15. And be it further enacted, That the said Commissioners so forming any such Board of Health shall, on the *Monday* in every Week during the Continuance of the Powers of such Commissioners under this Act, make a Report in Writing to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, under the Hands of Five of such Commissioners, and shall transmit the same to the Office of the Chief Secretary ; and shall in such Report state a true and particular Account of all the Proceedings of the said Commissioners under this Act, in such Form as shall seem most expedient to the said Commissioners, or in such Form as may at any Time be directed by such Lord Lieutenant or other Chief Governor or Governors, or his or their Chief Secretary ; and that whenever it shall be made appear by the Evidence of One or more Medical Persons, or by any other sufficient Means, to any Two Magistrates in any City, Town, or District in which such Board of Health shall be established under this Act, that the Number of Sick or the Danger of Contagion or Infection are or is so decreased that the Powers to be executed by or under such Board of Health shall be no longer necessary, such Two Magistrates shall certify the same to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* ; and in such Case, or whenever it shall by any Report of the

Local Board
of Health to
report weekly
to Lord
Lieutenant.

Local Boards
of Health
may be deter-
mined in
manner
provided.

58 G. 3, c. 47,
LOCAL
BOARDS OF
HEALTH
(Act of 1818).

said Commissioners, or by any other Means, appear to the Satisfaction of such Lord Lieutenant or other Chief Governor or Governors, that the Powers of such Board of Health are no longer required in any such City, Town, or District, it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors or his or their Chief Secretary, by Letter under his Hand, to signify to such Board of Health that they are no longer to exercise the Powers given to them by this Act; and thereupon all such Powers shall cease and determine, until the same shall be again renewed pursuant to the Directions of this Act."

COMMON
LODGING
HOUSES
ACTS,
1851, 1853.

COMMON LODGING HOUSES ACTS,— 1851 AND 1853.

These acts are inserted here, as containing provisions which have reference to and bring charges upon the Poor Rate, and may concern Poor Law Officers, in Ireland, the acts having been held to apply to this country, and having indeed been acted upon in Dublin and other corporate towns. Scotland and the City of London are expressly exempted from their operation; but Ireland is nowhere mentioned in them. The phraseology of the acts suggests that in framing them, their application to England alone was in contemplation, and there is considerable difficulty in interpreting some of their provisions as applying to Ireland. It is perhaps unnecessary more particularly to refer here to the instances of uncertainty or ambiguity in the language of these acts, more especially in reference to their application to Ireland by Justices in Petty Sessions at the cost of the poor rates.

Neither of these acts contains any definition of the term "Common Lodging House," or any explanation or description beyond the term itself, of the class of houses to which they are intended to apply. The term is used throughout the acts, but without any definite meaning being assigned to it, or to the word "common," as distinguishing lodging houses from other houses, or as

distinguishing Lodging Houses which are common from such as are not^a.

COMMON
LODGING
HOUSES
ACTS,
1851, 1853.

It was doubtless the intention, that all houses of the kind in contemplation should be registered and brought under the operation of these acts: and they will no doubt apply to all houses which are registered accordingly as Common Lodging Houses: and under § 2 of the first act, where only part of a house is used as a Common Lodging House, such part is to be treated as one. But there may be difficulty in enforcing penal provisions, where the fact whether any particular tenement is a Common Lodging House or not, is doubtful or disputed, and where there is no authority provided or rule given for the decision of the question.

The difficulty arising from the omission referred to appears to have been felt in England, where nevertheless these acts have been extensively put in force, and with the most beneficial effects^b. In a notification of the General Board of Health for England and Wales, dated 6th November, 1851, in reference to provisions hereinafter inserted^c from the Public Health Act, in which the same term is used without definition, an opinion was expressed that the term Common Lodging Houses was to be understood for the purposes of that act, as "meaning the houses now in use and practically known under that name,"—a description not in these acts, nor perhaps much more definite.

The following are extracts from Directions and Regulations issued by the same Board, under the Nuisances Removal and Diseases Prevention Acts.

^a The Towns Improvement (Ireland) Act, 1854,—17 & 18 Vic. c. 103,—uses the term "Lodging House," and defines "the expression Lodging House," as used in that act and for its purposes, to "mean a House in which Lodgers are housed for a less period than one week at a time, at an amount not exceeding four pence per head per night;" and subjects such houses to registration, regulation, and inspection by the local Commissioners under that act, wherever these provisions of it are adopted: (§ 45, 46 of act.)

^b See Reports of Captain Hay, of the London Metropolitan Police Commission, on the execution of these acts in the Metropolitan District;—House of Commons Sessional Papers.

^c Page 1123.

COMMON
LODGING
HOUSES
ACTS,
1851, 1853.

Under date 20th September, 1853:—"1. We direct
"that all the local authorities charged by the Common
"Lodging Houses Act, 1851, with the execution of
"that Act, shall see that the provisions of the said Act
"and any Act amending the same are enforced forth-
"with." Under date 12th October, 1853:—"5. The
"provisions of the Common Lodging Houses Act shall
"extend to rooms occupied by members of different
"families, whether for weekly, monthly, quarterly, or
"longer periods." These "directions and regulations,"
it is to be observed, were issued, in view of the approach
of Cholera, under the plenary powers given to the
Board of Health, by § 10 of the Act of 1848 (12 Vic.
c. 123), the provisions of which applied also to the
other portions of the United Kingdom, (Orders in
Council being in force.) The legal force of these direc-
tions and regulations (which applied only to England
and Wales), ceased with the occasion, on the expiration
of the Orders in Council under § 9 of that Act, but
the provisions of the Common Lodging Houses Acts
are permanent and continue in force; and under § 9 of
the second of those acts the permanent provisions of
the Nuisances Removal and Diseases Prevention Acts
are specially extended to "Common Lodging Houses."
A Circular of the General Board of Health, which
accompanied their last-mentioned Directions and Regu-
lations stated,—"The fifth direction is framed to meet
"attempts which have been made to evade the Com-
"mon Lodging Houses Acts, by letting rooms to mem-
"bers of different families for longer than the night
"or week; it being contended that such letting takes
"the houses out of the class of Common Lodging
"Houses. This has prevailed particularly among lodg-
"ing houses occupied by the Irish; and the Board are
"informed that local authorities have, in many instances,
"hesitated to apply the Common Lodging Houses Acts
"to such places. In the metropolis, however, the Acts
"have been applied generally to this class of houses;"
and the conviction of the Board is then expressed, that

“the practice of the metropolitan authorities might be
 “safely and most beneficially followed, as no dwellings
 “need the enforcement of provisions for health, clean-
 “liness, and decency so much as these. Their direction
 “renders it compulsory on the local authorities charged
 “with the execution of these Acts, to apply them in all
 “cases of rooms occupied by members of different
 “families, whether for short or long periods. The
 “Board have found, from experience of the working of
 “these Acts, that their enforcement operates most
 “materially for the prevention of epidemic disease;
 “and they would earnestly impress upon local authori-
 “ties the duty of most stringently carrying out the
 “provisions of these Acts.”

COMMON
 LODGING
 HOUSES
 ACTS,
 1851, 1853.

14 & 15 VICT. CAP. 28.

An Act for the Well-Ordering of Common Lodging
 Houses.

[24th July, 1851.]

14 & 15 VIC.
 c. 28,
 COMMON
 LODGING
 HOUSES
 ACT,
 1851.

WHEREAS it would tend greatly to the Comfort and
 Welfare of many of Her Majesty's poorer Subjects if
 Provision were made for the well-ordering of Common
 Lodging Houses: Be it therefore enacted by the Queen's
 most Excellent Majesty, by and with the Advice and
 Consent of the Lords Spiritual and Temporal, and
 Commons, in this present Parliament assembled, and
 by the Authority of the same, as follows; to wit,

1. In citing this Act for any Purpose, it shall be suf- Short Title.
 ficient to use the Expression “The Common Lodging
 Houses Act, 1851.”

2. The following Words and Expressions in this Act Interpretation
 have, for the Purpose and Execution of this Act, the of
 following Meanings; to wit, Terms:

The word “Place” includes County, Riding, Hun- “Place.”
 dred, and other Division or Part of a County,
 City, Borough, Parish, District, and other Place
 whatsoever^a:

^a This Act applying to Ireland, this definition must, it is presumed,
 be taken to include Union and Electoral Division, the latter, which
 is a division of a Union, being nowhere mentioned in the Act.
 Parish is referred to in various parts of these Acts; but there is
 no definition of that term making it include Electoral Division in
 Ireland.

"Borough,"
&c.

The Word "Borough," and the Expressions "Mayor, Aldermen, and Burgesses," and "Borough Fund," have respectively the same Meaning as in the Act for the Regulation of Municipal Corporations^a:

"Improvement Act."

The Expression "Improvement Act" means an Act for regulating and managing the Police of, and for draining, cleansing, paving, lighting, watching, and improving a Place, and an Act for any of those Purposes^b:

"Common Lodging House."

The Expression "Common Lodging House" includes, in any Case in which only a Part of a House is used as a Common Lodging House, the Part so used of such House^c.

By whom the Act is to be executed: in Metropolitan Police District;

3. This Act shall be executed as follows; to wit,
i. Within and for all or any Part of the Metropolitan Police District, by "The Commissioners of Police of the Metropolis^d," or such One of them as is from Time to Time appointed in that Behalf by One of Her Majesty's Principal Secretaries of State:

in District of a local Board of Health;

ii. Within and for all and any Part of any Place not being within the Metropolitan Police District, but being now or hereafter the District of a Local Board of Health, by the Local Board of Health for the District^e:

^a The particular act referred to is not very precisely specified, nor is the date or correct title of *any* act here recited. There are separate Municipal Corporation Acts for England and for Ireland: the 5 & 6 Wm. 4, c. 76, intituled "An Act to provide for the Regulation of Municipal Corporations in England and Wales;" the 3 & 4 Vic. c. 108, "An Act for the Regulation of Municipal Corporations in Ireland,"—amended by other Acts; (see p. 412 *et seq.*)

^b And see § 3, iv. Whether the expressions here used include the Act of 9 Geo. 4, c. 82, for the lighting, cleansing, and watching of towns, &c. in Ireland, or the Act of 1854, 17 & 18 Vic. c. 103, for paving, lighting, draining, cleansing, supplying with water, and regulation of Towns in Ireland (Towns Improvement Act)? The latter act contains express provisions of its own (§ 45, 46) as to Lodging Houses, for definition of which, for the purposes of that act, see note ^a in p. 1115.

^c See observations in p. 1114-5, as to meaning of the term "Common Lodging House."

^d By § 17, the City of London is exempted from the operation of the Act. The Act has been held to apply to Ireland, but this description does not appear to apply to the Dublin Metropolitan Police.

^e From other provisions in the Act (§ 4, ii. &c.) this appears to refer to Local Boards of Health for Districts under the Public Health Act, 1848, in England; and not to local Boards of Health which may be constituted, in certain circumstances, in Ireland, under 48 Geo. 3, c. 47 (p. 1110): there are none, it is believed, at present existing in Ireland, under that Act, and have not been any since the Fever Epidemic in 1847. See § 4, ii.

iii. Within and for all and any Part of any other Place not being within the Metropolitan Police District, and not being the District of a Local Board of Health, but being now or hereafter an incorporated Borough regulated under the Act for the Regulation of Municipal Corporations^a, or any Act for the Amendment thereof, or any Charter granted in pursuance of any such Act, by the Mayor, Aldermen, and Burgesses of the Borough acting by the Council of the Borough:

11. & 15 Vic.
c. 28,
COMMON
LODGING
HOUSES
ACT,
1851.

in Municipal
Borough;

iv. Within and for all and any Part of any other Place not being within the Metropolitan Police District, and not being the District of a Local Board of Health, and not being such an incorporated Borough, but being now or hereafter the Place within the Limits of an Improvement Act^b, by the Commissioners, Trustees, or other Body, by whatever Name known, for executing the Improvement Act:

in places
under an
Improve-
ment Act;

v. Within and for all and any Part of any other Place not being One of the Places herein-before specified, by the Justices of the Peace acting in Petty Sessions for the Place^c.

in other
places, by
Justices.

4. The Expenses of and incident to the executing of this Act shall be borne and paid as follows; to wit,

As to Ex-
penses of
executing
this Act:
in Metro-
politan Police
District;

i. With respect to the Metropolitan Police District^d, as Part of the general Expenses of executing the Acts for the Time being in force relating to the Metropolitan Police Force:

ii. With respect to the District of a Local Board of Health, as Part of the Expenses of executing the Acts for the Time being in force relating to the Local Board of Health, and as charged upon and payable out of the Monies carried, under the Public Health Act, 1848^e, to the District Fund Account of the Local Board of Health:

in District
of a local
Board of
Health;

iii. With respect to an incorporated Borough, as

in Municipal
Borough;

^a See note ^a in p. 1118.

^b See note ^b in p. 1118.

^c Where there are no Petty Sessions for the particular "place," (see interpretation of the word "Place" in § 2,) the act may be executed by the Justices of the Petty Sessional Division in which the "place" is included: 16 & 17 Vic. c. 41, § 13 (p. 1127): and under § 14 of the latter act, the Expenses incurred by them may be charged on the poor rate in such case, if there are no other moneys applicable to the purpose.

^d See note ^d in p. 1118.

^e 11 & 12 Vic. c. 63, the Public Health Act, 1848, relates to England and Wales, but does not extend to Ireland; and the provisions herein relating to local Boards of Health appear to have reference only to Boards constituted under that act: see note ^e in p. 1118.

14 & 15 Vic.
c. 28,
COMMON
LODGING
HOUSES
ACT,
1851.

in places
under an
Improve-
ment Act;

in other
places, by
Justices.

Local Au-
thority: its
meaning.

Notice of
this Act to
be given to
the Keepers
of Common
Lodging
Houses; who
are to be
required to
register
them.

Registers of
Common
Lodging
Houses to be
kept.

Part of the Expenses of carrying into execution within the Borough the Provisions of the Act for the Regulation of Municipal Corporations, and as charged upon and payable out of the Borough Fund of the Borough:

iv. With respect to a Place within the Limits of an Improvement Act, as Part of the general Expenses of executing that Act, and as charged upon and payable out of the Monies from Time to Time applicable for those Expenses:

v. With respect to a Place in which this Act is executed by Justices in Petty Sessions^a, as Part of the general Expenses of the Constabulary of the Place, and as charged upon and payable out of the Monies from Time to Time applicable for those Expenses:

And the Monies from Time to Time required for the Payment of the Expenses of and incident to the Execution of this Act shall be assessed, levied, raised, recovered, and paid accordingly.

5. The Expression in this Act "the local Authority" means, with respect to the Purposes and Execution of this Act with respect to any Place, the Body or Person by this Act authorized^b to execute with respect to the Place the several Provisions of this Act.

6. Within Three Months after the passing of this Act, the local Authority shall, and from Time to Time thereafter the local Authority may, give to the Keeper of every Common Lodging House already or hereafter within the Jurisdiction under this Act of the local Authority, Notice in Writing of this Act, and shall give such Notice by leaving the same for such Keeper at the House, and shall by such Notice require the Keeper to register the House as by this Act provided; and such Notice may be in the Form in the Schedule to this Act annexed^d, or to the like Effect^e.

7. The local Authority shall keep a Register, in which shall be entered the Names and Residences of the Keepers of all Common Lodging Houses within the Jurisdiction of the local Authority, and the Situation of every

^a Under § 14 of act of 1853 (16 & 17 Vic. c. 41), the expenses of executing the Act, where executed by the Justices, are chargeable on the poor rates, if there be no other funds applicable to the purpose (p. 1127).

^b § 3.

^c § 7, 8.

^d Page 1123.

^e Under § 2 of act of 1853, 16 & 17 Vic. c. 41, no House can be used as a Common Lodging House, until inspected, approved, and registered for the purpose (p. 1124).

such House, and the Number of Lodgers authorized according to this Act^a to be received therein. 14 & 15 Vic. c. 28.

8. After One Month after the giving of such Notice to register as by this Act provided, the Keeper of any Common Lodging House or any other Person shall not receive any Lodger in such House until the same has been inspected and approved for that Purpose by some Officer appointed in that Behalf by the local Authority, and has been registered as by this Act provided^b. After such Notice Lodgers not to be received until House inspected and registered.

9. The local Authority may from Time to Time make Regulations respecting Common Lodging Houses within its Jurisdiction, for all or any of the Purposes respecting the same for which the Local Board of Health are by the Public Health Act, 1848, authorized to make Byelaws^c, and for the well-ordering of such Houses, and for the Separation of the Sexes therein: Provided always, that the Regulations made under this Act by the local Authority shall not be in force until they have been confirmed by One of Her Majesty's Principal Secretaries of State. Regulations respecting Common Lodging Houses, to be made by local Authorities.

10. The local Authority shall have the same Power of imposing Penalties on Offenders against the said Regulations, subject to the same Restrictions, as the Local Board with respect to Offenders against such Byelaws^c; and such Penalties shall be recoverable in the same Way as is provided in the said Act^d with respect to the Penalties imposed on Offenders against such Byelaws; and a Copy of the said Regulations, purporting to be signed by the Secretary of State, and also to be signed by the local Authority, (or to be sealed with the Seal of the same, in case it have a Seal,) shall be receivable in Evidence of such Regulations, and of the duly making and confirming thereof. Penalties for Offences against such Regulations, may be imposed by local authority.

11. The Keeper of a Common Lodging House shall, when a Person in such House is ill of Fever or any infectious or contagious Disease, give immediate Notice thereof to the local Authority, or some Officer of the local Authority, and also to the Poor Law Medical Officer^e and the Poor Law Relieving Officer of the Keepers of Common Lodging Houses to give Notice of Fever, &c. therein, to Poor Law Officers, &c.

^a § 9: and § 66 of 11 & 12 Vic. c. 63 (p. 1128).

^b § 7; and see § 3 of Act of 1853, (p. 1124).

^c See provisions from the Act referred to, 11 & 12 Vic. c. 63; p. 1128-1130.

^d § 129-140 in Public Health Act, 11 & 12 Vic. c. 63, relate to legal proceedings under that Act. And see § 15 of the present act.

^e The Notice is to be given to three parties, the local Authority or their officer, the "Poor Law Medical Officer," and the Relieving Officer; but there is some uncertainty in the interpretation of the language here employed.

In Ireland, the Medical Officer of the Workhouse is the only "Poor

14 & 15 VIC. c. 28. Union or Parish in which the Common Lodging House stands.

Officers to have free access to Common Lodging Houses. 12. The Keeper of a Common Lodging House, and every other Person having or acting in the Care or Management thereof, shall, at all Times when required by any Officer of the local Authority, give him free Access to such House or any Part thereof.

Cleansing of Common Lodging Houses, and limewashing twice a-year. 13. The Keeper of a Common Lodging House shall thoroughly cleanse all the Rooms, Passages, Stairs, Floors, Windows, Doors, Walls, Ceilings, Privies, Cess-pools, and Drains thereof, to the Satisfaction of and so often as shall be required by or in accordance with any Regulation or Byelaw of the local Authority, and shall well and sufficiently, and to the like Satisfaction, lime-wash the Walls and Ceilings thereof in the First Week of each of the Months of *April* and *October* in every Year.

Penalties for Offences against this Act. 14. If the Keeper of a Common Lodging House, or any other Person having or acting in the Care or Management thereof, offend against any of the Provisions of this Act, or any of the Byelaws or Regulations made in pursuance of this Act, or if any Person in any Common Lodging House be confined to his Bed for Forty-eight Hours by Fever or any infectious or contagious Disease without the Keeper of such House giving Notice thereof as required by this Act^a, every Person so offending shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and to a further Penalty not exceeding Forty Shillings for every Day during which the Offence continues^b: Provided always,

Law" Medical Officer of the Union ; there is no Medical Officer for a Parish, under the Irish Poor Law ; but section 7 of the act of 1853 (p. 1125,) refers to the Medical Officer of a *District*, as well as of a Parish or Place ; and as the Act is held to apply to Ireland, this may possibly apply to the Medical Officers of Dispensary Districts : they are, however, not strictly Poor Law Officers, but officers under the Medical Charities Act, which is not one of the Poor Law Acts. The duties of Medical Officers of Dispensary Districts are defined in the Medical Charities Act, and the regulations thereunder ; and those of Relieving Officers, in the Irish Poor Relief Acts.

It is not stated in the acts whether the Medical Officer or Relieving Officer is to take any and what steps on receipt of the Notice under the present section : he can report the receipt of the Notice to the local Authority, (who, however, are also to receive Notice,) or to the Dispensary Committee or Board of Guardians under whom these officers respectively act : the act does not say what they are to do thereon ; but under § 7 of the act of 1853, the "*local Authority*" may remove the patient to Hospital, on certificate of Medical Officer, and with consent of the authorities of the Hospital, where there is one.

^a § 11.

^b See further, § 11, 12 of act of 1853, (p. 1127.)

that this Act shall not exempt any Person from any Penalty or other Liability to which he may be subject irrespective of this Act. 14 & 15 Vic. c. 28.

15. The Clauses and Provisions of the Railways Clauses Consolidation Act, 1845, "with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices^a," are for the Purposes and Execution of this Act incorporated with this Act. Recovery of Penalties.

16. The local Authority, and all Justices, Constables, and others, shall respectively have full Jurisdiction, Powers, Authorities, and Indemnities for executing the several Provisions of this Act; and the Restrictions of the Public Health Act, 1848, as to the Hours within which Common Lodging Houses may be entered by Persons authorized by a Local Board of Health^b, shall not apply to this Act. General Powers of local Authority, &c.

17. That this Act shall not extend to the City of London or the Liberties thereof. Act not to extend to the City of London;

18. That nothing in this Act shall extend to Scotland. nor to Scotland.

SCHEDULE.

FORM OF NOTICE^c.

TAKE notice, That on the [] Day of [] an Act called "The Common Lodging Houses Act, 1851," was passed, and that before the [] Day of [] you, being the Keeper of a Common Lodging House within [here state the Place over which the Jurisdiction of the local Authority giving the Notice extends], must have your Common Lodging House registered, and that the Register is to be kept at [here state where the Register is to be kept], and that if you do not have your Common Lodging House so registered you will be liable to a Penalty not exceeding Five Pounds for every Lodger whom you receive in your Common Lodging House while it is not so registered; and that on your applying to [here give the Name and Address of the Person to keep the Register] he will register your Common Lodging House free of all charge to you. Dated [&c.]. Notice to Keepers of Common Lodging Houses.

16 & 17 VICT. CAP. 41.

An Act for making further Provisions with respect to Common Lodging Houses.

[4th August, 1853.]

WHEREAS it is expedient to extend the Provisions of "The Common Lodging Houses Act, 1851^d." Be it 14 & 15 Vic. c. 28.

^a 8 & 9 Vic. c. 20, §§ 140-161. And see § 10 of the present act.

^b § 66 of 11 & 12 Vic. c. 63, (p. 1128): there is no restriction as to the hours of entry of Common Lodging Houses by authorized officers of the "local Authority" under the present act.

^c § 6, (p. 1120).

^d 14 & 15 Vic. c. 28, (p. 1117).

16 & 17 Vic.
c. 41,
COMMON
LODGING
HOUSES
ACT,
1853.

6 & 17 Vic.
c. 41,
COMMON
LODGING
HOUSES
ACT,
1853.

Short Title.

14 & 15 Vic.
c. 28, and
this Act to
be as One.

All Common
Lodging
Houses to be
registered
before being
used, and to
be kept only
by registered
Keepers.

Local Author-
ity may re-
fuse to regis-
ter Keepers
of Houses not
producing
Certificate of
Character from
three
House-
holders.

Certified
Copies of
entry in
Register, to
be evidence
without
further proof.

Certified
Copies to be
furnished
gratis.

Supply of
Water.

therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited for any Purpose as "The Common Lodging Houses Act, 1853."

2. The Common Lodging Houses Act, 1851^a, and this Act shall be construed and executed as if they were One Act.

3. After Three Months after the passing of this Act, a Person shall not keep a Common Lodging House^b or receive a Lodger therein, until the House have been inspected and approved for that Purpose by some Officer appointed in that Behalf by the local Authority, and have been registered as by the recited Act provided^c; and a Person shall not keep a Common Lodging House^b unless his Name as the Keeper thereof be entered in the Register kept under the recited Act: Provided always, that when the Person so registered dies, his Widow or any Member of his Family may keep the House as a Common Lodging House, for not more than Four Weeks after his Death, without being registered as the Keeper thereof.

4. The local Authority may refuse to register as the Keeper of a Common Lodging House^b a Person who does not produce to the local Authority a Certificate of Character in such Form as the local Authority shall direct, signed by Three Inhabitant Householders of the Parish, respectively rated to the Relief of the Poor of the Parish within which the Lodging House is situate, for Property of the yearly rateable Value of Six Pounds or upwards.

5. A Copy of an Entry made in a Register kept under the recited Act^c, certified by the Person having the Charge of the Register to be a true Copy, shall be received in all Courts and before all Justices and on all Occasions whatsoever, as Evidence, and be sufficient Proof of all Things therein registered, without Production of the Register, or of any Document, Act, or Thing on which the Entry is founded; and every Person applying at a reasonable Time shall be furnished gratis, by the Person having such Charge, with a certified Copy of any such Entry.

6. Where it appears to the local Authority that a Common Lodging House^b is without a proper Supply of

^a 14 & 15 Vic. c. 28, (p. 1117).

^b See observations in p. 1114-5, as to what a Common Lodging House is.

^c 14 & 15 Vic. c. 28, § 6-8, (p. 1120-1).

Water for the Use of the Lodgers, and that such a Supply can be furnished thereto at a reasonable Rate, the local Authority may by Notice in Writing require the Owner or Keeper of the Common Lodging House, within a Time specified therein, to obtain such Supply, and to do all Works necessary for that Purpose; and if the Notice be not complied with accordingly, the local Authority may remove the Common Lodging House from the Register until it be complied with.

7. When a Person in a Common Lodging House^a is ill of Fever or any infectious or contagious Disease, the local Authority may cause such Person to be removed to an Hospital or Infirmary, with the Consent of the Authorities thereof and on the Certificate of the Medical Officer of the Parish, Place, or District^b that the Disease is infectious or contagious, and that the Patient may be safely removed; and may, so far as the local Authority think requisite for preventing the Spread of Disease, cause any Clothes or Bedding used by such Person to be disinfected or destroyed; and may, if the local Authority think fit, award to the Owners of the Clothes and Bedding so disinfected or destroyed, reasonable Compensation for the Injury or Destruction thereof; and such Compensation shall be paid to such Owners by the proper Officer^c of the Parish or Union in which the Common Lodging House is situate, out of the Rates applicable to the Relief of the Poor of such Parish^d, the Amount of such Compensation being first certified in Writing upon a List of such Articles.

8. The Keeper of a Common Lodging House in which Beggars or Vagrants are received to lodge, or other Person having the Care or Management thereof, shall from Time to Time, if required by any Order of the local Authority served on such Keeper or Person, report to the local Authority, or to such Person or Persons as the said local Authority shall direct, every Person who resorted to such House during the preced-

16 & 17 VIC.
c. 41,
COMMON
LODGING
HOUSES
ACT,
1853.
—

Persons ill of
Fever, &c. in
Common
Lodging
Houses may
be removed
to Hospitals,
&c.

Clothes and
Bedding may
be disin-
fected or
destroyed,
Compensa-
tion out of
Poor Rates.

Where
Beggars or
Vagrants
received in
Common
Lodging
House, re-
ports may be
required
from Keeper
of the House.

^a See observations in p. 1114-5, as to what a Common Lodging House is.

^b See note e in p. 1121-2.

^c The "proper officer" is not defined: and see next note d.

^d The poor rates are assessed in Ireland upon Electoral Divisions, which form the area of rating, not Parishes; and Parishes not unfrequently run into two or more Electoral Divisions. The antecedent words are, the "proper officer of the Parish or Union;" but the words "such Parish" appear not to apply to the Union, or to authorize the expenses to be charged on the Union. It seems uncertain how effect is to be given to this provision, so as to apply it to Parishes, Electoral Divisions, or Unions, generally, in Ireland.

16 & 17 Vic.
c. 41,
COMMON
LODGING
HOUSES
ACT,
1853.

Guardians,
Town Coun-
cils, &c. to
remove
Causes of
Complaint,
as under

Nuisances
Removal on
a Certificate
from a
Constable or
Inspector of
Lodging
Houses.

Special pro-
vision as to
Oxford and
Cambridge.

ing Day or Night; and for that Purpose, Schedules shall be furnished by the local Authority to the Persons so ordered to report, which Schedules they shall fill up with the information required, and transmit to the local Authority.

9. The Town Council, Trustees, Commissioners, Guardians, and other Officers and Boards specified in the First Section of the "Nuisances Removal and Diseases Prevention Act, 1848^a," shall, on the Receipt of a Certificate of any Police Constable or of any Officer appointed for the Inspection of Common Lodging Houses by the local Authority, stating the Existence in or about any Common Lodging House of any of the Causes of Complaint specified in that Section, take all such Proceedings as by that Section are required to be taken by the Town Council, Trustees, Commissioners, Guardians, and other Officers and Boards specified therein, on a Notice signed by Two Inhabitant Householders, and in like Manner as nearly as may be as if such Notice had been given; and the local Authority^b shall have the like Powers, and shall take all such Proceedings, on Receipt of any such Certificate of the Existence of any such Cause of Complaint, as the Town Council, Trustees, Commissioners, Guardians, and other Officers or Boards have and are empowered and required to take under the Provisions of that Act.

10. Provided always, notwithstanding any Provision contained in this Act, That within the City of *Oxford*, or the Parts within the Jurisdiction of the Commissioners for amending certain Mileways leading to *Oxford*, and making Improvements in the University and City of *Oxford*, the Suburbs thereof, and the adjoining Parish of *Saint Clement*, (which Commissioners are herein-after called the *Oxford Commissioners*,) the several Powers and Duties assigned by this Act to any local Authority shall, in so far as they are consistent with the Laws under which the said *Oxford Commissioners* act, be exercised by the said *Oxford Commissioners*; and within the Borough of *Cambridge*, or the Parts within the Jurisdiction of the Commissioners

^a 12 Vic. c. 123, § 1 (p. 1086).

^b i.e. the local authority, under § 3 & 5 of Act of 1851 (p. 1118, 1120). Under the present section, either the local authority under the Common Lodging House Acts, or the several other authorities mentioned in § 1 of the Nuisances Act of 1848, 12 Vic. c. 123, may take proceedings as provided in the last-mentioned Act, on receipt of a certificate of a Constable or Inspecting Officer of Common Lodging Houses, in addition to any proceedings which the local authorities may take under the former Acts.

acting under an Act of the Thirty-fourth Year of the Reign of King *George* the Third, for amending and enlarging the Powers of a former Act of the same Reign, for the better paving, cleansing, and lighting the town of *Cambridge*, for removing and preventing Obstructions and Annoyances, and for widening the Streets, Lanes, and other Passages within that Town, (which Commissioners are herein-after called the *Cambridge* Commissioners,) the several Powers and Duties aforesaid shall, in so far as they are consistent with the Laws under which the said *Cambridge* Commissioners act, be exercised by the *Cambridge* Commissioners.

16 & 17 Vic.
c. 41,
COMMON
LODGING
HOUSES
ACT,
1853.

11. The Fourteenth Section of the recited Act^a extends to Offences against any of the Provisions of this Act, so as to render the Offenders liable to the Penalties therein expressed; and any Person convicted of any Offence against the recited Act and this Act, or either of them, may, in default of Payment of the Penalty imposed, be imprisoned for any Term not exceeding Three Months in the Manner provided by Law in that Behalf.

Offences
against this
Act; and
Penalties.

12. Where a Keeper of a Common Lodging House, or a Person having or acting in the Care or Management of a Common Lodging House, is convicted of a Third Offence against the recited Act and this Act, or either of them, the Justices before whom the Conviction for such Third Offence takes place may, if they think fit, adjudge that he shall not at any Time within Five Years after the Conviction, or within such shorter Period after the Conviction as the Justices think fit, keep or have or act in the Care or Management of a Common Lodging House without the previous Licence in Writing of the local Authority, which Licence the local Authority may withhold or may grant on such Terms and Conditions as they think fit.

Conviction
for Third
Offence may
disqualify
Persons from
keeping a
Common
Lodging
House, for
five years.

13. In a Case in which there are not Petty Sessions for a Place fifthly mentioned in Section Three of the recited Act^b, that Act and this Act may be executed within and for all and any Part of such Place by the Justices of the Peace acting in Petty Sessions in the Petty Sessional Division within which such Place is comprised.

Execution of
Act by
Justices in
Petty Ses-
sions as
local Autho-
rity, in cer-
tain cases.

14. Where in any Place the recited Act and this Act are executed by Justices in Petty Sessions^b, the Expenses of and incident to the executing of the recited Act and this Act with respect to such Petty Sessional

Expenses of
executing
Act by
Justices,
chargeable

^a 14 & 15 Vic. c. 28 § 14 (p. 1122).

^b § 3, v. & § 4, v. of Act of 1851, 14 & 15 Vic. c. 28 (p. 1119, 1120).

COMMON
LODGING
HOUSES
ACT,
1853.

on Poor Rate
if there be no
other fund.

Division, shall be borne by and paid out of the Rates for the Relief of the Poor of the several Parishes or other Places^a comprised therein in which any Common Lodging House is situate (except so far as there are other Monies applicable to the Purpose), and the Amount of such Expenses shall be ascertained and apportioned by such Justices, and shall be paid accordingly as they order.

EXTRACTS from the *Public Health Act, 1848*,—11 & 12 Vic. cap. 63,—referred to in the *Common Lodging House Act, 1851*, § 9, 10^b.

11 & 12 Vic.
c. 63,
PUBLIC
HEALTH
ACT,
1848.

11 & 12 VICT. CAP. 63.

“An Act for promoting the Public Health.”]

Common
Lodging
Houses to be
registered.

Bye-laws to
be made by
local Board.]

“§ 66. And be it enacted, That it shall not be lawful to keep any Common Lodging House unless the same be registered as next hereinafter mentioned; and the Local Board of Health shall cause a Register to be kept, in which shall be entered the Name of every person applying to register any Common Lodging House kept by him, and the situation of every such house; and *the said Local Board shall from time to time make Bye Laws, for fixing the number of Lodgers who may be received into each house so registered, for promoting cleanliness and ventilation therein, and with respect to the inspection thereof, and the conditions and restrictions under which such inspection may be made^b*; and the person keeping any such Lodging House shall give access to the same when required by any persons who shall produce the written authority of the said Local Board in this behalf, for the purpose of inspecting the same, or for introducing or using therein any disinfecting process, and the expenses incurred by the said Local Board in so introducing or using any disinfecting

^a There is no definition of the word “Parish”: see definition of “Place” in § 2 of Act of 1851 (p. 1117), and notes in p. 1117, 1125. It is not stated whether expenses so incurred by Justices acting as the local authority, and to be paid out of the poor rate, are to be charged on the Union or on the Electoral Division: but the Justices have a power of apportionment under the latter part of the section, and the expenses are to be paid as they may order.

^b The power of making Bye-laws for these and other purposes in reference to Common Lodging Houses is given to the “local authority” under the Common Lodging House Act, 14 & 15 Vic. c. 28, by § 9 of that act (p. 1121).

process shall be recoverable by them in a summary manner from the person keeping the Lodging House in which the same shall have been used or introduced; and whosoever shall receive Lodgers in any Common Lodging House without having registered the same as required by this Act, or shall refuse to admit therein, at any time *between the hour of Eleven in the Forenoon and the hour of Four in the Afternoon*^a, any person authorized by the said Local Board as last aforesaid, shall for every such offence be liable to a penalty not exceeding Forty Shillings."

11 & 12 Vic.
c. 63,
PUBLIC
HEALTH
Act,
1848.

Penalty.

"§ 115. And be it enacted, That all Bye Laws made by the Local Board of Health under and for the purposes of this Act shall be in writing, under their Seal and the signature of any Five or more of their number, or (in the case of a Corporate District) under the common Seal; and the said Local Board may by any such Bye Laws impose upon offenders against the same such reasonable penalties as they shall think fit, not exceeding the sum of Five Pounds for each offence, and in the case of a continuing offence a further penalty not exceeding the sum of Forty Shillings for each day after written notice of the offence from the said Local Board; and the said Local Board may alter or repeal any such Bye Laws by any subsequent Bye Laws, sealed and signed, or (in case of a Corporate District) sealed as last aforesaid: Provided always, that all such Bye Laws imposing any penalty shall be so framed as to allow of the recovery of any sum less than the full amount of the penalty: Provided also, that no such Bye Laws shall be repugnant to the Laws of England or to the provisions of this Act, and the same shall not be of any force or effect unless and until the same be submitted to and confirmed by One of Her Majesty's principal Secretaries of State, who is hereby empowered to allow or disallow the same, as he may think proper: Provided also that no such Bye Laws shall be confirmed unless Notice of intention to apply for confirmation of the same shall have been given in one or more of the public Newspapers usually circulated within the District to which such Bye Laws relate, One Month at least before the making of such application; and for One Month at least before any such application, a copy of the proposed Bye Laws shall be kept at the Office of the Local Board of Health, and be open during Office

Bye-laws of
local Board,
how to be
made; not to
be in force
till confirmed
by Secretary
of State.

Notice of
application
for confirma-
tion, &c.

Proposed
Bye-laws to
be open to
inspection.

^a This restriction as to the hours within which Common Lodging Houses may be entered by persons authorized by a local Board of Health, does not apply in cases under the Common Lodging Houses Acts: (see § 16 of Act of 1851, 14 & 15 Vic. c. 28, p. 1123).

11 & 12 VIC. c. 63,
PUBLIC
HEALTH
ACT,
1848.
—

Hours thereat to the inspection of the Ratepayers of the District to which such Bye Laws relate, without Fee or Reward; and the Clerk shall furnish every such Ratepayer who shall apply for the same with a copy thereof or of any part thereof, on payment of Six Pence for every One hundred Words contained in such copy.

Bye-laws to
be printed,
&c.

“116. And be it enacted, That all Bye Laws made by the Local Board of Health in pursuance of this Act shall be printed, and hung up in the Office of the said Local Board; and copies thereof shall be delivered to any Ratepayer of the District to which such Bye Laws relate upon his application for the same.”

BURIAL GROUNDS.

19 & 20 VIC.
c. 98,
BURIAL
GROUNDS
ACT,
1856.
—

19 & 20 VICT. CAP. 98.

An Act to amend the Laws relating to the Burial of the Dead in *Ireland*.

[29th July, 1856.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as “The Burial Grounds (*Ireland*) Act, 1856.”

Interpreta-
tion of
Terms.

2. In this Act, the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say,
“Lord Lieutenant;” “Lord Lieutenant” shall mean the Lord Lieutenant of *Ireland* or other Chief Governor or Governors thereof;
“Council;” “Council” shall mean Her Majesty's Privy Council in *Ireland*;
“Borough;” “Borough” shall mean any Borough or Town Corporate in *Ireland*, or any Town in which a Board of Municipal Commissioners shall have been elected, under the Provisions of an Act of the Third and Fourth Years of Her present Majesty, Chapter One hundred and eight^a, or in which Town Commissioners shall have been appointed, under the Provisions of an Act of the Ninth Year of King *George* the Fourth, Chapter Eighty-two^b, or an Act of the Seventeenth and Eight-

“Lord Lieu-
tenant;”

“Council;”
“Borough;”
Towns.

^a Municipal Corporations Act, 3 & 4 Vic. c. 108 (p. 412).

^b Lighting and Cleansing, &c., Act, 9 Geo. 4, c. 82, and List of Towns, (p. 407).

teenth Years of Her present Majesty, Chapter One hundred and three^a, or any Act amending the same; "Town Council" shall mean the Town Council of the Borough, or, where there is no Town Council, the Board of Municipal Commissioners, or the Town Commissioners acting for the Borough or Town; "the Borough Fund" shall be held to include "the Town Fund;" "Parish" shall extend to any Extra-parochial Precinct or Place; "Ratepayers" shall mean the Persons for the time being assessed to and paying Rates, or liable to be rated, under the Provisions of this Act; "Town Clerk" shall mean the Town Clerk of the Borough, or, where there is no Town Clerk, the Clerk of the Board of Municipal Commissioners or of the Town Commissioners acting for the Borough or Town.

19 & 20 Vic.
c. 98.

"Town
Council;"
Town Com-
missioners.

"Borough
Fund;"
Town Fund.
"Parish;"
"Rate-
payers;"

"Town
Clerk:"

3. In the Execution of this Act in Poor Law Unions, or any Portion thereof not within the Limits or Boundaries of any Borough as defined by this Act^b, "Burial Board" shall be held to signify the Board of Guardians for the Relief of the Poor within any such Poor Law Union or Portion thereof; and the Manner of holding and transacting Business at Meetings of such Burial Boards shall be similar to the Manner in use in respect of the Relief of the Poor: and within the Limits or Boundaries of any Borough^b, "the Town Council" of the Borough shall be held to be the "Burial Board" of such Borough^d.

"Burial
Board;"
Guardians of
the Poor,
except in
Towns and
Boroughs;

Town Coun-
cil, &c., in
Towns and
Boroughs.

4. The Board of Guardians for the Relief of the Poor shall, in carrying into execution the Provisions of this Act, be subject to the Direction and Control of the Commissioners appointed for administering the Law for the Relief of the Poor in *Ireland*.

Boards of
Guardians
subject to
control of
Poor Law
Commis-
sioners.

5. In case it shall appear to the Lord Lieutenant in Council, upon representation duly made to him, that for the Protection of the Public Health, the opening of any new Burial Ground in any City or Town or within any other Limits in *Ireland*, save with the Approval of the Lord Lieutenant, should be prohibited,—or that Burials in any City or Town or within any other Limits,

On Repre-
sentation
duly made,
Lord Lieu-
tenant in
Council may
restrain the
opening of
new Burial

^a The Towns Improvement (Ireland) Act, 1854,—17 & 18 Vic. c. 103, and List of Towns in which it has been adopted, and Town Commissioners have been elected (p. 456, 458–9).

^b Definition of Borough, § 1 (p. 1130).

^c Town Council, Municipal Commissioners, or Town Commissioners; § 1.

^d But in the Borough of Waterford, the Board of Guardians is constituted the Burial Board, and certain lands heretofore used as a cemetery are vested in the Guardians of Waterford Union as the Burial Board; see special provision in § 34 (p. 1141).

19 & 20 VIC.
c. 98,
BURIAL
GROUNDS
ACT,
1856.

Grounds, and
order Discon-
tinuance of
Burials in
specified
Places:

Month's
Notice of
such repre-
sentation to
be published
in Gazette,
&c., before
consideration
thereof.

Lord Lieu-
tenant in
Council may
vary or post-
pone opera-
tion of Orders
for Discon-
tinuance of
Burials, &c.

Orders in
Council not
to extend to
Burial
Grounds of
Quakers, un-
less expressly
mentioned.

Orders in
Council not
to extend to
French Pro-
testant
Burial
Grounds in
Dublin, un-
less expressly
mentioned.

or in any Burial Grounds or Places of Burial, should be wholly discontinued, or should be discontinued subject to any Exception or Qualification,—it shall be lawful for the Lord Lieutenant, by and with the Advice of Her Majesty's Privy Council in *Ireland*, to order that no new Burial Ground shall be opened in any City or Town or within such Limits, without such previous Approval,—or (as the Case may require) that after a Time mentioned in the Order, Burials in such City or Town or within such Limits, or in such Burial Grounds or Places of Burial, shall be discontinued, wholly or subject to any Exceptions or Qualifications mentioned in such Orders, and so from time to time as circumstances may require: Provided always, that Notice of such Representation, and of the time when it shall please the Lord Lieutenant to order the same to be taken into Consideration by the Privy Council, shall be published in the *Dublin Gazette*, and shall be affixed on the Doors of the Churches or Chapels of or on some other conspicuous Places within the Parishes affected by such Representation, One Month before such Representation is so considered.

6. It shall be lawful for the Lord Lieutenant, by and with the Advice of the Privy Council, to postpone the Time appointed by any Order in Council for the Discontinuance of Burials, or otherwise to vary any Order in Council made under this Act, (whether the Time thereby appointed for the Discontinuance of Burials thereunder, or other Operation of such Order, shall or shall not have arrived,) as to the Lord Lieutenant in Council shall seem fit; and every Order of the Lord Lieutenant in Council made for varying any Order previously made under this Act shall be deemed valid and effectual in Law.

7. No such Order in Council as aforesaid shall be deemed to extend to any Burial Ground of the People called Quakers, used solely for the Burial of the Bodies of such People, unless the same shall be expressly mentioned in such Order; and nothing in this Act shall prevent the Burial in any such Burial Ground, in which for the Time being Interment is not required to be discontinued, of the Bodies of such People.

8. Provided, That no such Order in Council as aforesaid shall be deemed to extend to the Burial Grounds or Cemeteries situate respectively in *Merrion Row* and *Peter Street* in the City of *Dublin*, the Property of the *French* Protestants, and used solely for the Burial of the Bodies of the Descendants of the *French* Protestant Refugees, unless the same be expressly

mentioned in such Order; and nothing in this Act shall prevent the Burial as heretofore in such Burial Grounds or Cemeteries respectively, so situate in *Merrion Row* and *Peter Street* aforesaid, of the Bodies of such Descendants of French Protestant Refugees.

19 & 20 Vic.
c. 98,
BURIAL
GROUNDS
ACT,
1856.

9. If any Person, after the Time mentioned in any Order in Council under this Act for the Discontinuance of Burials, shall knowingly and wilfully bury any Body, or in anywise act or assist in the Burial of any Body, in or under any Church, Chapel, Churchyard, Burial Ground, or Place of Burial, or elsewhere, as the Case may be, within the Limits in which Burials have by such Order been ordered to be discontinued, in violation of the Provisions of any such Order, every Person so offending shall, upon summary Conviction thereof, forfeit a sum not exceeding Ten Pounds.

Penalty on
Persons
burying
where forbid-
den by
Orders in
Council; ·
£10, sum-
marily recov-
erable.

10. Provided always, That, notwithstanding any such Order in Council, where, by virtue of any Faculty legally granted, or by Usage or otherwise, there is, at the Time of the passing of this Act, any Usage or Right of Interment in or under any Church or Chapel affected by such Order, or in any Vault of any such Church or Chapel, or of any Churchyard or Burial Ground affected by such Order, and where any exclusive Right of Interment in any such Burial Ground has been purchased or acquired before the passing of this Act, it shall be lawful for the Lord Lieutenant, from Time to Time, on Application being made to him, and on being satisfied that the Exercise of such Right shall not be injurious to Health, to grant a Licence for the Exercise of such Right, during such Time and subject to such Conditions and Restrictions as the Lord Lieutenant may think fit; but such Licence shall not prejudice or in anywise affect the Authority of the Ordinary, or of any other Person who if this Act had not been passed might have prohibited or controlled Interment under such Right, nor dispense with any Consent which would have been required under such Right, nor otherwise give to such Right any greater Force or Effect than the same would have had if this Act had not been passed.

Saving of ex-
isting Rights
to bury in
certain cases.

11. Where by any such Order in Council it is ordered that no new Burial Ground shall be opened in any City or Town, or within any Limits in such Order mentioned, without the previous Approval of the Lord Lieutenant, no new Burial Ground or Cemetery (parochial or non-parochial) shall be provided and used in such City or Town, or within such Limits, without such previous Approval.

New Burial
Grounds not
to be opened
contrary to
Order in
Council,
where ap-
proval of
Lord Lieu-
tenant is
required.

12. Where, by Usage or otherwise, any Grave, Vault, Family

19 & 20 VIC.
c. 98,
BURIAL
GROUND
ACT,
1856.

Graves: no
Corpse to be
buried in
private
Grave with-
out Consent
of family:
under Pe-
nalty, £10,
summarily
recoverable;

and Exhu-
mation, &c.

Animals not
to be allowed
in fenced
Burial
Places:

Fine on
Owners of
Animals
found in
Burial
Grounds.

On Requisi-
tion of ten
Ratepayers
or two Mem-
bers of Burial
Board,
Special
Meeting of
Board to be
convened for
determining
whether a
Burial
Ground shall
be provided,
although no
Burial
Ground had
previously
been closed.

On closing
of a Burial

or Place of Interment in any Burial Ground or Cemetery has been the burying Place of and used as such by any Family, no Corpse of any Person not having been a Member of such Family shall be buried in such Grave, Vault, or Place of Interment without the Consent in Writing of some immediate Relative of the Member of such Family last interred therein: and if any Person shall knowingly act or assist in any Burial contrary to the Provisions of this Clause, every such Person shall be liable, on summary Conviction before any Two Justices of the Peace at Petty Sessions, to a Penalty not exceeding Ten Pounds; and upon any Complaint made under this Clause, it shall be lawful for the Justices at Petty Sessions to make such Order for the Exhumation and Re-interment of such Corpse so buried as to such Justices shall seem fit.

13. No Animal of any Description shall be allowed to graze or to be within the Limits of any Burial Ground having a sufficient Fence; and it shall be lawful to any Two Justices of the Peace at Petty Sessions to order the Owners of any Animal or Animals so found within such Burial Ground to pay as a Fine a Sum not exceeding Two Shillings and not less than One Shilling for each Animal so found as aforesaid, and to levy and dispose of said Fine in the same Manner as Fines for Trespass of Cattle are now levied and disposed of under the Provisions of the Law at present in force in Ireland.

14. Although no Burial Ground has been closed by Order in Council, the Clerk of the Union in which any City, Town, or Place is situate, not being within the Limits of a Borough, and the Town Clerk of any Borough, shall, upon the Requisition in Writing of Ten or more Persons assessed for the Relief of the Poor in such City, Town, or Place, or liable to the Payment of Borough Rate in such Borough, respectively, or upon the Requisition in Writing of any Two or more Members of the Burial Board of such Union or Borough respectively, convene a Special Meeting of the Burial Board of such Union or Borough, for determining whether a Burial Ground shall be provided under this Act for such City, Town, or Place, or for such Borough respectively; and if a Majority of such Meeting shall resolve that a Burial Ground shall be provided under this Act for such City, Town, or Place, or Borough respectively, such new Burial Ground shall be provided, in the same Manner as if an old Burial Ground had been closed by Order in Council.

15. Whenever any Burial Ground shall have been

closed in any City, Town, or Place, or in any Borough respectively, by Order in Council, the Burial Board may, if it shall seem necessary or expedient, forthwith proceed to provide a suitable and convenient Burial Ground for such City, Town, or Place, or Borough respectively, and to make Arrangements for facilitating Interments therein, under the Provisions of this Act.

16. Any Burial Ground may be provided under this Act, either within or without the Limits of the City or Town or Borough for which the same is provided; and in case any Burial Ground to be so provided for any City, Town, or Borough shall be situate without the Limits of such City, Town, or Borough, the same shall, for the Purposes of this Act, be considered as if the same was within such Limits: but no Ground not already used as or appropriated for a Cemetery shall be appropriated as a Burial Ground, or as an Addition to a Burial Ground, under this Act, nearer than One hundred Yards to any Dwelling House, without the Consent in Writing of the Owner, Lessee, and Occupier of such Dwelling House.

17. For the providing such Burial Ground, it shall be lawful for the Burial Board to contract for and purchase or take any Lands, and Buildings thereon, for the purpose of forming a Burial Ground, or for making Additions to any Burial Ground to be formed or purchased under this Act, as such Board may think fit; or to purchase from any Company or Persons entitled thereto any Cemetery or Cemeteries or Part or Parts thereof, subject to the Rights in Vaults and Graves and other subsisting Rights which may have been previously granted therein: Provided always, that it shall be lawful for such Board, in lieu of providing any such Burial Ground, to contract with any such Company or Persons entitled as aforesaid, for the Interment in such Cemetery or Cemeteries, and either in any allotted Part of such Cemetery or Cemeteries or otherwise, and upon such Terms as the Burial Board may think fit, of the Bodies of Persons who would have had Rights of Interment in the Burial Grounds of such Parish or Place.

18. The Lands Clauses Consolidation Act, 1845^a, except the Provisions of that Act "with respect to the Provisions to be made for affording Access to the Special Act by all Parties interested," and "with respect to the Purchase and taking of Lands otherwise

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c. 98,
BURIAL
GROUNDS
ACT,
1856.

Ground by
Order in
Council,
Burial Board
may provide
other Burial
Ground.
Burial
Ground may
be in or out
of Limits of
the Place for
which it is
provided:
but no new
Burial
Ground to be
within cer-
tain distance
of dwelling
houses,
unless by
Consent.

Burial
Board may
purchase
Land for
Burial
Ground, or
purchase or
contract with
Cemeteries.

Part of
Lands
Clauses Act
incorporated
with this.

^a 8 Vic. c. 18, "An Act for Consolidating in one Act certain Provisions usually inserted in Acts authorizing the taking of Land for Undertakings of a public Nature;" passed 8 May, 1845.

19 & 20 Vic. c. 98,
BURIAL
GROUNDS
ACT,
1856.

“than by Agreement,” shall be incorporated with this Act; and for the Purposes of this Act, the Expression “the Promoters of the Undertaking,” wherever used in the said Act, shall mean any Burial Board under this Act: Provided always, that the Provisions in the said Act “with respect to Lands acquired by the Promoters of the Undertaking under the Provisions of this or “the Special Act, or any Act incorporated therewith, “but which shall not be required for the Purposes “thereof,” shall be held to apply only to such Lands in which no Burial shall have taken place; and such Provisions shall not be restricted in Operation to any fixed Period after the Purchase of such Lands.

Liabilities of closed Burial Grounds transferred to new Burial Grounds.

19. Where any Burial Ground shall be closed under the Provisions of this Act, and a new Burial Ground provided in place thereof, the whole Burthen upon and Liabilities attaching to the Burial Ground so closed shall be transferred to and become Burthens upon the Burial Ground provided in place thereof, and the Revenues of the new Burial Ground shall be liable for the same in like Manner as the Revenues of the Burial Ground so closed were liable.

Management of new Burial Grounds to vest in Burial Boards:

20. The general Management, Regulation, and Control of the Burial Grounds provided under this Act shall, subject to the Provisions of this Act and the Regulations to be made thereunder, be vested in and exercised by the respective Burial Boards providing the same: Provided always, that any Question which shall arise touching the Fitness of any Monumental Inscription placed or proposed to be placed in any Part or Portion of such Grounds shall be determined by the proper Ministers of the Religious Denomination to which such Part or Portion shall have been allotted: Provided also, that at the Burials of the Bodies of Members of the United Church of *England* and *Ireland*, or of the Roman Catholic Church, or of any other Religious Denomination, Burial Service according to the respective Rites of such Church or Denomination may be performed or celebrated by the proper Ministers of such Church or Denomination.

Exclusive Rights of Burial, Rights to construct Vaults, erect Monuments, &c., may be sold by Burial Board:

21. Any Burial Board, under such Restrictions and Conditions as they think proper, may sell the exclusive Right of Burial, either in perpetuity or for a limited Period, in such Parts of any Burial Ground provided by such Board as may be appropriated to that purpose, and also the Right of constructing any Chapel, Vault, or Place of Burial, with the exclusive Right of Burial therein, in perpetuity or for a limited Period, and also the Right of erecting and placing any Monument,

Gravestone, Tablet, or Monumental Inscription in such Burial Ground, subject to the Provisions herein-before contained: Provided always, that such exclusive Rights shall not extend in all to a Space of One Half of such Burial Ground.

19 & 20 VIC.
c. 98,
BURIAL
GROUNDS
ACT,
1856.

22. Any Burial Board may make such Arrangements as they may from time to time think fit for regulating and facilitating the Conveyance of the Bodies of the Dead from the Place of Death to any Burial Ground which shall be provided under this Act, subject to the Provisions of this Act and the Regulations to be made thereunder; and it shall be lawful for any of the aforesaid Cemetery Companies from whom the Burial Board shall have made any such Purchase, or with whom the Burial Board shall have made any such Contract, as herein-before provided^a, to undertake any such Arrangement, and to carry the same into effect, subject to the Provisions and Regulations aforesaid.

but exclusive rights not to extend to half the Burial Ground.

Conveyance of Bodies to Burial Ground: Burial Board may make arrangements, and Cemetery Companies may carry same into effect. Fit Places for Reception of Bodies until Interment, may be provided by Burial Boards.

23. It shall be lawful for any Burial Board, subject to the Provisions of this Act and the Regulations to be made thereunder, to hire, take, or lease, or otherwise to provide, fit and proper Places in which Bodies may be received and taken care of previously to Interment, and to make Arrangements for the Reception and Care of the Bodies to be deposited therein; and for providing such Places such Boards may exercise all the Powers vested in them under this Act for providing Burial Grounds.

24. It shall be lawful for the Lord Lieutenant in Council from time to time to make such Rules and Regulations, in relation to the Burial Grounds and Places of Reception of Bodies previous to Interment which may be provided under this Act, as may seem proper for the Protection of the Public Health and the Maintenance of Public Decency, and for the proper Registry of Interments; and to provide for the Imposition and Recovery of Penalties not exceeding Ten Pounds for each Offence for the Breach or Nonobservance of such Regulations: and the Burial Boards, and all other Persons having the Care of such Burial Grounds and Places for the Reception of Bodies, shall conform to and obey such Regulations.

Regulations as to Burial Grounds, &c., may be made by Lord Lieutenant in Council:

Penalties for Breach of same.

25. No Funeral Procession, or Carriage in such Procession, and no Foot Passenger, shall, while going to or returning from the Place of Interment on the occasion of any Interment, be liable to any Toll or Pontage.

Exemption of Funerals from Toll.

^a § 17 (p. 1135.)

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c. 98,
BURIAL
GROUNDS
ACT,
1856.

Burial
Ground may
be laid out,
enclosed,
and embel-
lished, by
Burial
Board:
and parts
may be allot-
ted to parti-
cular reli-
gious deno-
minations.

Such Allot-
ments to be
consecrated.

Fees and
Payments for
Interments to
be regulated
by Burial
Board:

Table of
Fees, &c.

Minutes of
Proceedings
of Burial
Board to be
kept; and
Accounts:

Accounts to
be open to
Inspection.

Burial Board
may appoint
and remove
Clerk,
Officers, and
Servants:

and give Re-
muneration;
and provide
an Office:

Appoint-
ment and

26. It shall be lawful for any Burial Board to enclose, lay out, and embellish any Burial Ground provided by such Board, in such manner as may be fitting or proper: Provided always, that in all Cases in which a Burial Board shall provide a new Burial Ground under this Act, it shall be lawful for such Burial Board, with the sanction of the Lord Lieutenant, to divide such new Burial Ground or some Part thereof into certain Parts and Proportions, to be allotted in such manner as to the Lord Lieutenant shall seem fit, for the Burial of the Members of any particular Religious Denomination; and each such Allotment shall, as the case may require, be consecrated according to the Rites and by the proper Ministers of the respective Religious Denominations for which each such Allotment is so set apart.

27. Every Burial Board under this Act shall, subject to the Approval of the Lord Lieutenant, fix and receive such Fees and Payments in respect of Interments in any Burial Ground provided by such Board, as they shall think fit, and from time to time revise and alter such Fees and Payments; and a Table showing such Fees and Payments shall be printed and published, and shall be affixed and at all times continued on some conspicuous Part of such Burial Ground.

28. Minutes of all Proceedings of the Burial Board under this Act, with the Names of the Members who attend each Meeting, shall be kept; and the Burial Board shall provide and keep Books in which shall be entered true and regular Accounts of all Sums of Money received and paid for or on account of the Purposes of this Act, and of all Liabilities incurred by them for such Purposes, and of the several Purposes for which such Sums of Money are paid and such Liabilities incurred; and all such Books shall at all reasonable times be open to the examination of every Member of the Burial Board and Ratepayer, without Fee, and they may take Copies of or Extracts from such Books or any Part thereof, without paying for the same.

29. The Burial Board may appoint, and may remove at pleasure, a Clerk and such other Officers and Servants as shall be necessary for the Business of the Board in respect of or for the Purposes of their Burial Ground, and may appoint reasonable Salaries, Wages, and Allowances for such Clerk, Officers, and Servants, and, when necessary, may hire a sufficient Office for transacting the Business of such Burial Board; and the Provisions and Clauses of "The Commissioners Clauses Act, 1847," with respect to the "Appointment and

"Accountability of the Officers of the Commissioners^a," shall, so far as the same are not varied by or inconsistent with the Provisions of this Act, be incorporated therewith; and the Commissioners in the said Act shall signify the "Burial Board" under this Act.

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c. 98,
BURIAL
GROUNDS
ACT,
1856.

30. All Burials within any Burial Ground provided under this Act shall be registered in a Register Book to be provided by the Burial Board providing such Ground, and kept for that purpose; and such Register Book shall be so kept by some Officer appointed by the said Board to do that duty; and in such Register Book shall be distinguished in what Parts of the Burial Ground the several Bodies, the Burials of which are entered in such Register Book, are buried; and such Register Book, or Copies or Extracts thereof, or purporting to be Copies or Extracts thereof, shall be received in all Courts as Evidence of the Burials entered therein.

account-
ability of
Officers.

Register of
Burials to be
kept :

Register,
evidence.

31. The Commissioners for carrying into execution an Act of the Fourteenth and Fifteenth Year of Her present Majesty, Chapter Twenty-three, intituled *An Act to authorize for a further Period the Advance of Money out of the Consolidated Fund to a limited Amount, for carrying on Public Works and Fisheries and Employment of the Poor*, and any Act or Acts amending the same, may from time to time, if they shall so think fit, make to the Burial Board of any Borough or Place, for the Purposes of this Act, any Loan, under the Provisions of the recited Act or the several Acts therein recited or referred to^b, upon Security of the Assessments for the Relief of the Poor of the Union, or the Borough Fund, or Rates in this Act mentioned^c.

Public
Works Loan
Commission-
ers may ad-
vance Money
on Loan for
Purposes
of this Act :
(14 & 15 Vic.
c. 23, &c.)
on Security
of Poor Rates,
Borough
Fund, or
Special
Rates.

32. For the Purpose of defraying the Expenses incurred in the Execution of this Act, or paying any Money borrowed for such Purpose^b, or any Interest thereon, the Guardians of every Union who shall be appointed the Burial Board of such Union or any Part thereof, under the Provisions of this Act, shall from Time to Time make and levy such Rates as may be necessary on every Occupier of rateable Hereditaments in or arising within such Union or any Part thereof, not being within the Boundaries or Limits of any Bo-

Expenses to
be defrayed
by Rates.

^a For the provisions here referred to, of the Commissioners Clauses Act, 1847. "with respect to the Appointment and Accountability of the Officers of the Commissioners," § 65-74 of that act, 10 Vic. c. 16; see p. 1144.

^b See further, as to Loans, § 36, 37 (p. 1142).

^c § 32.

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c. 98,
BURIAL
GROUNDS
ACT,
1856.

Burial Rates
made by
Guardians to
be assessed
on districts
directed by
Poor Law
Commis-
sioners ;

Rates, where
made by
Guardians,
as Burial
Board, to be
assessed and
levied as
poor rate :

In Boroughs,
&c., Ex-
penses to be
defrayed by a
separate
Rate, to be
levied by
Town
Council or
Commis-
sioners, as
Borough
Rate, &c.

Districts for
rating may be
directed by
Lord Lieu-
tenant in
Council.

Limitation
of rates in
other cases,
not to apply
to Burial
rates.

rough as defined by this Act; and all Rates so made under this Act by the Guardians of such Union shall be applotted, assessed, and levied on such Union, or on such Electoral Division situate in such Union, and wholly or partly on the Parishes^a for which any new Burial Ground shall have been provided under this Act, as the Poor Law Commissioners for *Ireland* shall by any Order in that Behalf direct, and shall be applotted, assessed, and levied as if the Sums so payable were Sums to be applotted, assessed, and levied for the Purpose of carrying into execution the Laws for the Relief of the destitute Poor in *Ireland*; and all Monies borrowed by the Guardians of such Unions for the Purposes of this Act, or any Interest thereon, shall be secured upon the Rates authorized to be made by the Guardians of such Union by this Act: and any Money required to be raised in any Borough or Town in which a Board of Municipal Commissioners shall have been elected, as herein-before mentioned, for defraying such Expense, or paying any Money borrowed under this Act by the Council of such Borough, or the Municipal Commissioners or Town Commissioners of such Town, or any Interest thereon, by means of a Rate levied in such Borough or Town, shall be raised by a separate Rate to be levied within such Borough or Town; and the Council of such Borough and the Municipal Commissioners of such Town shall have all such Powers for making and levying such Rate respectively, and all Provisions shall be applicable in respect thereof, as in the case of any Borough Rate or Improvement Rate authorized to be made therein under the Provisions of the respective Acts of Parliament under which the Council of such Borough or the Municipal Commissioners of such Town are constituted: Provided always, that such Rates shall be levied wholly or partly in the Parishes^a within such Borough or Town for which any new Burial Ground shall have been provided under this Act, as the Lord Lieutenant in Council shall by any Order in that Behalf direct; and provided also, that when the Amount of the Rates to be assessed by the Council of such Borough, or the Municipal Commissioners or Town Commissioners of such Town, are limited by Law to a certain rateable Amount^b, such Limitation shall not apply or extend to Expenses incurred for carrying this Act

^a Definition of "Parish": § 2 (p. 1131).

^b As under Municipal Acts; § 38 of 9 Geo. 4, c. 82 (p. 411); § 133 of 3 & 4 Vic. c. 103 (p. 424); § 60 of 17 & 18 Vic. c. 103 (p. 464), &c.

into execution; and it shall be lawful for the Council of such Borough or the Municipal Commissioners or Town Commissioners of such Town to charge the Expenses under this Act in addition to the other Borough or Town Rates respectively; and all Monies borrowed by the said Council or the said Commissioners under this Act, or any Interest thereon, shall be charged upon the Rates authorized to be levied by the said Council or Commissioners respectively by this Act.

33. It shall be lawful for the Guardians of any Union or the Council of any Borough to appropriate for the Purposes of this Act any Land belonging to the Board of Guardians of such Union or to the Body Corporate of such Borough respectively, or vested in any Feoffees, Trustees, or others for the general Benefit of the Union or Borough respectively, or any specific Charity: Provided always, that when any Land so appropriated shall be subject to any Charitable Use, such Land shall be taken on such Conditions only as the Court of Chancery, in the Exercise of its Jurisdiction over Charitable Trusts, shall appoint and direct.

34. Whereas the Grand Juries of the County and City of *Waterford*, acting under the Act of the Fortieth Year of King *George* the Third, Chapter Ninety-three, purchased a Piece of Ground situate in the Townland of *Ballynasheagh* in the Barony of *Gaultier* in the County of *Waterford*, for the purpose of a Cemetery, in lieu of the ancient Burial Places of the Six several Parishes of *Trinity Within*, *Saint Michael*, *Saint Stephen Within*, *Saint Olave*, *Saint John Within*, and *Saint Patrick*, in the Borough of *Waterford*, and of the Three Parishes of *Trinity Without*, *Saint John Without*, and *Saint Stephen Without*, partly in the Borough and partly in the County of *Waterford*, and of the Two Parishes of *Kilbarry* and *Kil Saint Laurence* in the County of *Waterford*: And whereas the said Eleven Parishes are all situate within the Poor Law Union of *Waterford*, and it is advisable that the said Piece of Ground should be used as a Burial Ground for all the said Parishes as if all the said Parishes were situate without the Limits of the said Borough of *Waterford*, and as if the said Piece of Ground had been provided as the Burial Ground under this Act for the said several Parishes: Be it enacted, That from and after the passing of this Act, the said Piece of Ground shall, without further Conveyance, be vested in the Guardians of the Poor of the *Waterford* Union as the Burial Board, and for the Use of all the District at present comprised in the said Eleven Parishes, subject to all the Powers

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c. 98,
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GROUNDS
ACT,
1856.

Guardians or
Council may
appropriate
Lands
belonging to
them
respectively,
&c., for
Purposes of
this Act:
subject to
Jurisdiction
of Chancery.

Special pro-
vision as to
Waterford.
Burial
Ground
already pro-
vided by the
County and
City of
Waterford
hereby
vested in
Guardians of
Waterford
Union, as
Burial Board.

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c. 98,
BURIAL
GROUNDS
ACT,
1856.

and Regulations in this Act contained relative to Burial Grounds, and as if the same had been purchased and acquired under this Act; and unless the said Piece of Ground shall be discontinued as a Burial Ground by the Lord Lieutenant and Council under the Provisions of the Fifth Section of this Act, all the said Parishes and Portions of Parishes situate in the Borough of *Waterford* shall, for the Purposes of this Act, be considered as if the same were without the Limits of the said Borough of *Waterford*.

Part of
Cemeteries
Clauses Act
incorporated
with this.

35. The Provisions of "The Cemeteries Clauses Act, 1847," with respect to the Protection of the Cemetery^a, shall be incorporated with this Act, and be applicable to any Burial Ground provided under this Act; and the words "The Company" in "The Cemeteries Clauses Act, 1847," shall signify the "Burial Board" under this Act: Provided always, that every Penalty imposed under and by virtue of this Act shall be enforced, recovered, and appropriated under the Provisions of the "Petty Sessions (*Ireland*) Act, 1851," except when the Act or Offence in respect of which such Penalty shall have been incurred shall have been committed within the Jurisdiction of the Justices of the Police District of *Dublin* Metropolis, in which case such Penalty shall be enforced and recovered under the Provisions of the Acts relating to such Police Districts^b.

Burial
Boards may
borrow
Money for
specified
purposes,
with sanction
of Lord
Lieutenant.

36. Every Burial Board under this Act may, with the Consent of the Lord Lieutenant, borrow^c any Sum of Money not exceeding such Sum as the Lord Lieutenant may sanction and appoint, required for providing, laying out, and embellishing any Burial Ground under this Act, or any such Purposes; and may charge the future Assessments or Rates respectively under this Act with the Payment of such Money, and Interest thereon not exceeding Six *per Cent.*^d: Provided that there shall be paid in every Year, in addition to the Interest of the Money borrowed and unpaid, not less than One Twentieth of the Principal Sum borrowed, until the whole is discharged.

Limitations.

Money may
be borrowed
to pay off
Securities.

37. Any Burial Board acting under this Act may, if they think fit, borrow Money^c in order to pay off and discharge any Security or Securities, and secure the

^a For the provisions here referred to, of the Cemeteries Clauses Act, 1847, "with respect to the Protection of the Cemetery," § 58-9 of that act, 10 & 11 Vic. c. 65, see p. 1148.

^b "Districts;" sic: District?

^c See § 31 as to Loans by the Public Works Loan Commissioners; (p. 1139).

^d § 31, 32, as to charge upon rates (p. 1139-40).

Repayment of the Money so borrowed, and the Interest to be paid thereon, in like Manner as other Monies authorized to be borrowed by such Burial Board under this Act.

38. No Land already or hereafter to be purchased or acquired under the Provisions of this Act, for the Purpose of a Burial Ground (with or without any Building erected or to be erected thereon), shall, while used for such Purposes, be assessed to any County, Parochial, or other local Rates at a higher Value or more improved Rent than the Value or Rent at which the same was assessed at the Time of such Purchase or Acquisition.

39. It shall be lawful for any Burial Board, with the Sanction of the Lord Lieutenant, and subject to Regulations approved of by him, to let any Land purchased by and vested in them under this Act, and which has not been consecrated, and in which no Body has been at any Time interred, and which is not for the Time being required for the Purposes of a Burial Ground, in such Manner and on such Terms as such Board may see fit, but so, nevertheless, that Power shall be reserved to such Board to resume any such Land which may be required for the Purposes aforesaid, upon giving Six Months' Notice.

40. In every case in which any Order in Council has been or shall hereafter be issued for the Discontinuance of Burials in any Churchyard or Burial Ground, the Burial Board shall maintain such Churchyard or Burial Ground in decent Order, and also do the necessary Repair of the Walls and other Fences thereof; and the Costs and Expenses shall be repaid out of the Rates by this Act authorized, unless there shall be some other Fund legally chargeable with Costs and Expenses.

41. And whereas the Mayor, Aldermen, and Burgeses of the Borough of *Limerick* have, with the Consent and Approbation of the Commissioners of Her Majesty's Treasury, executed a Lease of a certain Plot of Ground situate at *Gortuemanagh* in the Barony of *Clanwillians* and County of *Limerick* (which Plot of Ground is Part of the Property of the said Corporation of *Limerick*, but is not situate within the Limits or Boundaries of the Borough of *Limerick*.) unto certain Parties for the Term of Two Thousand Years, at a certain Yearly Rent, for the Purpose of the same being used as a Cemetery or Burial Ground: Be it further enacted, That for the Purposes of this Act the said Plot of Ground shall be deemed and taken to be within the Limits or Boundaries of the said Borough of *Limerick*.

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c. 98,
BURIAL
GROUNDS
ACT,
1856.

Assessment
of Land
taken for
Burial
Ground to
local Rates
not to be
increased to
higher value
than at time
of purchase.

Land not
required for
Burials, and
not conse-
crated, may
be let by
Burial Board
with sanction
of Lord
Lieutenant.

Proviso.
Closed Burial
Grounds,
&c., to be
kept in order
by Burial
Board:
Payment of
Expenses.

Special Pro-
vision as to
Limerick:
certain Plot
of Ground for
a Cemetery
to be deemed
within
Limits of the
Borough.

Private or
Family
Mausoleums
or Burial
Places, not
affected.
Act for
Ireland only.

42. The Provisions of this Act shall not apply to any private and exclusive Family Mausoleum or Burial Place not being within the Limits of any public Burial Ground.

43. This Act shall extend to *Ireland* only.

PROVISIONS FROM 10 VICT. CAP. 16,—“THE COMMISSIONERS CLAUSES ACT, 1847,” incorporated with the Burial Grounds (Ireland) Act, 1856^a.

Officers.

And^a with respect to the Appointment and Accountability of the Officers of the Commissioners^b, be it enacted as follows :

Power to
Commis-
sioners to
appoint
Clerk and
other Officers
and remove
them from
Time to
Time.

§ 65. The Commissioners^b may from Time to Time appoint and employ a Treasurer, Clerk, Collector, Assessor, and all such other Officers to assist in the Execution of this and the special Act^c as they shall think necessary and proper, and from Time to Time remove any of such Officers, and appoint others in the Room of such as shall be so removed, or as may die, resign, or discontinue their Offices, and may, out of the Moneys to be raised for the Purposes of this and the special Act, pay such Salaries and Allowances to the said Officers respectively as the Commissioners shall think reasonable.

Offices of
Clerk and
Treasurer
not to be
held by the
same Person.

66. The same Person shall not be appointed to the Office both of Clerk and Treasurer; and if any Person being the Clerk, or the Partner of such Clerk, or in the Service of such Clerk or of his Partner, accept the Office of Treasurer,—or if any Person being the Treasurer, or the Partner of such Treasurer, or in the Service of such Treasurer, or of his Partner, accept the Office of Clerk,—he shall forfeit the Sum of One Hundred Pounds; and any Person may sue for such Penalty by Action of Debt or on the Case in any of the Superior Courts, and shall on Recovery thereof be entitled to full Costs of Suit.

Officer
taking Fees

67. Every Officer employed by the Commissioners^b

^a Incorporated with the Burial Grounds (Ireland) Act, 1856, by § 29 of that act, (p. 1138.)

^b “Commissioners”—i.e., the Burial Board, in this case; see § 29 of Burial Grounds Act (p. 1139).

^c The words “Special Act” must be understood in this case as referring to the Burial Grounds (Ireland) Act, 1856.

who shall exact or accept on account of any thing done by virtue of his Office, or in relation to the Matters to be done under this or the special Act^a, any Fee or Reward whatsoever, other than the Salary or Allowances allowed by the Commissioners^b, or who shall be in anywise concerned or interested in any Bargain or Contract made by the Commissioners^b, shall be incapable of being afterwards employed by the Commissioners, and shall forfeit the Sum of Fifty Pounds; and any Person may sue for such Penalty by Action of Debt or on the Case in any of the Superior Courts, and shall on Recovery thereof be entitled to full Costs of Suit.

other than those allowed to lose his Office, and forfeit £50.

68. Before any Person, whether Treasurer, Collector, or other Officer intrusted by the Commissioners^b with the Custody or Control of Moneys by virtue of his Office, shall enter upon such Office, the Commissioners^b shall take sufficient Security from him for the faithful Execution thereof.

Security to be taken from all Officers intrusted with Money.

69. Every Collector appointed or employed by the Commissioners^b by virtue of this or the special Act^a to collect any Rates shall, within Seven Days after he shall have received any Moneys on account of any such Rates, pay over the same to the Treasurer of the Commissioners to their Account; and the Receipt of such Treasurer for the Moneys so paid shall be a sufficient Discharge to the Collector; and every such Collector shall, in such Time and in such Manner as the Commissioners direct, deliver to them true and perfect Accounts in Writing under his Hand of all Moneys received by him and of all Moneys paid by him to the said Treasurer by virtue of this or the special Act, and also a List of the Names of all Persons who have neglected or refused to pay any Rate or Money owing by them, with a Statement of the Moneys due from them respectively.

Collectors to pay over Moneys within Seven Days to the Treasurer.

70. Every Collector and other Officer appointed or employed by the Commissioners^b by virtue of this or the special Act^a shall, from Time to Time when required by the Commissioners, make out and deliver to them, or to any Person appointed by them for that Purpose, a true and perfect Account in Writing, under his Hand, of all Moneys received by him on behalf of the Commissioners; and such Account shall state how and to whom and for what Purpose such Moneys have been disposed of; and together with such Account such Officer shall deliver the Vouchers and Receipts for such

Officers to account.

^a "Special Act"; see note ^c in p. 1144.

^b "Commissioners": see note ^b in p. 1144.

Summary
Recovery
against
Parties
failing to
account.

Payments; and every such Officer shall pay to the Commissioners^a, or to any Person appointed by them to receive the same, all Moneys which shall appear to be owing from him upon the Balance of such Accounts.

71. If any such Collector or other Officer fail to render such Accounts as aforesaid, or to produce and deliver up all the Vouchers and Receipts relating to the same in his Possession or Power, or to pay the Balance thereof when thereunto required, or if for Five Days after being thereunto required he fail to deliver up to the Commissioners^a, or to any Person appointed by them to receive the same, all Papers and Writings, Property, Effects, Matters, and Things, in his Possession or Power, relating to the Execution of this or the special Act^b, or any Act incorporated therewith, or belonging to the Commissioners, then on Complaint thereof being made to a Justice, or to the Sheriff^c, such Justice or Sheriff shall summon such Officer to appear before Two or more Justices, or before such Sheriff, according as the Summons may have been issued by a Justice or by the Sheriff, at a Time and Place to be set forth in such Summons, to answer such Charge; and upon the Appearance of such Officer, or upon Proof that such Summons was personally served upon him, or left at his last known Place of Abode, such Justices or Sheriff may hear and determine the Matter in a summary Way, and may adjust and declare the Balance owing by such Officer; and if it appear, either upon Confession of such Officer, or upon Evidence, or upon Inspection of the Account, that any Moneys of the Commissioners are in the Hands of such Officer, or owing by him to the Commissioners, such Justices or Sheriff may order such Officer to pay the same, and if he fail to pay the Amount it shall be lawful for such Justices or Sheriff to grant a Warrant to levy the same by Distress, or by Pounding and Sale, or in default thereof to commit the Offender to Gaol, there to remain without Bail for a Period not exceeding Three Months, unless the same be sooner paid.

Officers
refusing to
make out
Account and

72. If any such Officer summoned as aforesaid refuse to make out such Account in Writing, or to produce and deliver to the Justices or Sheriff^c the several Vouch-

^a "Commissioners": see note ^b in p. 1144.

^b "Special Act"; see note ^c in p. 1144.

^c "Sheriff":—*i.e.* in Scotland, the Commissioners Clauses Act, 1847, from which these provisions are extracted, being applicable to the whole of the United Kingdom: § 3 of that act. In Ireland the proceedings under this section should be before Justices, as provided therein.

ers and Receipts relating thereto, or to deliver up any Books, Papers, or Writings, Property, Effects, Matters, or Things, in his Possession or Power belonging to the Commissioners^a, such Justices or Sheriff may commit such Offender to Gaol, there to remain until he shall have delivered up all the Vouchers and Receipts in his Possession or Power relating to such Accounts, and all the Books, Papers, Writings, Property, Effects, Matters, and Things, in his Possession or Power, belonging to the Commissioners.

deliver up Documents, &c. may be committed to Prison.

73. Provided always, That if any Commissioner, or other Person acting on behalf of the Commissioners^a, shall make Oath that he has good Reason to believe, upon Grounds to be stated in his Deposition, and that he does believe that it is the Intention of any such Officer as aforesaid to abscond, the Justice or the Sheriff^b before whom the Complaint is made may, instead of issuing his Summons, issue his Warrant for bringing such Officer before such Two Justices as aforesaid if the Warrant be issued by a Justice, or before such Sheriff if the Warrant be issued by him; but no Person executing such Warrant shall keep such Officer in Custody longer than Twenty-four Hours without bringing him before some Justice or the Sheriff, according as he may be summoned before the one or the other; and the Justice or Sheriff before whom such Officer may be brought may either discharge such Officer, if he think there is no sufficient Ground for his Detention, or order such Officer to be detained in Custody so as to be brought before Two Justices at a Time and Place to be named in such Order, unless such Officer give Bail to the Satisfaction of such Justice for his Appearance before such Justices to answer the Complaint of the Commissioners.

Where Officer about to abscond, a Warrant may be issued in the first instance.

74. No such Proceeding against or Dealing with any such Officer as aforesaid shall deprive the Commissioners^a of any Remedy which they might otherwise have against any Surety of such Officer.

Proceedings against Officers not to discharge Sureties.

^a "Commissioners": see note ^b in p. 1144.

^b "Sheriff": see note ^c in p. 1144.

CEMETERIES ACT, 1847.
 — PROVISIONS FROM 10 & 11 VIC. c. 65,—“THE CEMETERIES CLAUSES ACT, 1847,”—incorporated with the Burial Grounds (Ireland) Act, 1856^a.

Protection of Cemetery. And with respect to the Protection of the Cemetery^a, be it enacted as follows:—

Penalty for damaging Cemetery, &c. § 58. Every Person who shall wilfully destroy or injure any Building, Wall, or Fence belonging to the Cemetery, or destroy or injure any Tree or Plant therein, or who shall daub or disfigure any Wall thereof, or put up any Bill therein or on any Wall thereof, or wilfully destroy, injure, or deface any Monument, Tablet, Inscription, or Gravestone within the Cemetery, or do any other wilful Damage therein, shall forfeit *to the Company*^b for every such Offence a Sum not exceeding Five Pounds.

Penalty for committing Nuisances, &c., in the Cemetery. 59. Every Person who shall play at any Game or Sport, or discharge Fire-arms, save at a Military Funeral, in the Cemetery, or who shall wilfully and unlawfully disturb any Persons assembled in the Cemetery for the Purpose of burying any Body therein, or who shall commit any Nuisance within the Cemetery, shall forfeit *to the Company*^b for every such Offence a Sum not exceeding Five Pounds.

^a Incorporated with the Burial Grounds (Ireland) Act, 1856, by § 35 of that act, (p. 1142).

^b “Company:” *i.e.* Burial Board, in this case; § 35 of Irish Burial Grounds Act, (p. 1142). But see proviso in that section, that (except in Dublin Police District,) “every Penalty imposed under or by virtue of this Act, shall be enforced, recovered, and appropriated under the provisions of the ‘Petty Sessions (Ireland) Act, 1851.’” The latter act, 14 & 15 Vic. c. 93, contains the following provision in regard to the application of Penalties:—

Appropriation of Fines and Penalties. “§ xxii. . . . 8. In every Case where the Act under which any Penal Sum shall be ordered to be paid as a Penalty for an Offence (and no Sum shall be awarded to the Complainant as Compensation for Damage,) it shall be lawful for the Justices to award any Sum not exceeding One-Third of such Penal Sum to the Prosecutor or Informer, and the Remainder of such Sum and all other Penal Sums shall be awarded to the Crown, any Act or Acts to the contrary notwithstanding.”

The words “to the Company” or Burial Board appear therefore to be inapplicable in this case.

DUBLIN HOSPITALS.

19 & 20 VICT. CAP. 110.

19 & 20 Vic.
c. 110,
DUBLIN
HOSPITALS
REGULATION
ACT,
1856.

An Act for the better Regulation of the House of
Industry Hospitals and other Hospitals in *Dublin*
supported wholly or in part by Parliamentary Grants.

[29th July, 1856.]

WHEREAS an Act was passed in the Parliament of *Ireland* in the Fortieth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for the better Regulation and Management of the House of Industry established for the Relief of the Poor in Dublin*, which was amended by an Act of the First Year of His Majesty King *George* the Fourth, Chapter Forty-nine: And whereas by an Act passed in the First and Second Years of the Reign of Her present Majesty, Chapter Fifty-six, the said House of Industry was vested in the Poor Law Commissioners^a, and the said Commissioners have appropriated a Portion thereof to the Purposes of a Workhouse for the *North Dublin* Union: and whereas it is expedient to make other Provisions for the Regulation of the Hospitals attached to such House of Industry, called in this Act the "House of Industry Hospitals," and for other Hospitals in *Dublin* supported wholly or in part by Parliamentary Grants: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:—

1. In citing this Act for any purpose whatever, it shall be sufficient to use the expression "*Dublin Hospitals Regulation Act*."

2. In the Interpretation of this Act, save where there is anything in the Subject or Context repugnant to such Construction, the Words "Lord Lieutenant" shall include any other Chief Governor or Governors of *Ireland*; the Word "Officer" shall mean and include Governors, Chaplains, Physicians, Surgeons, Apothecaries, Stewards, Clerks, Superintendents, Matrons, and other Officers; and the Word "Servant" shall mean and include Warders, Nurses, Keepers, Laundresses,

^a Irish Poor Relief Act, 1 & 2 Vic. c. 56, § 34 (p. 26).

19 & 20 Vic.
c. 110,
DUBLIN
HOSPITALS
REGULATION
ACT,
1856.

House of
Industry
Hospitals
and Lands,
&c., vested
in Board of
Works.

Lord Lieu-
tenant, with
Consent of
Treasury, to
regulate
Number
and Salaries
of Officers
and Servants
for House of
Industry
Hospitals:
and appoint
and remove
them.

Management
of House of
Industry
Hospitals be
vested by
Lord Lieu-
tenant in a
Board of
Governors.

Board of
Governors to
regulate
Number of
Officers, &c.,
subject to
Approval of
Lord Lieu-

Store Maids, Beadles, Gate-keepers, Porters, Messengers, and other Servants.

3. The House of Industry Hospitals, and all Lands, Tenements, and Hereditaments of and belonging thereto, and not appropriated to the purposes of a Workhouse under the Provisions of the said last recited Act^a, shall vest in the Commissioners of Public Works in *Ireland* for the time being, in trust for and to the use of the said Hospitals, according to the Nature and Quality, Estate and Interest of and in such Property, and subject to the Debts, Charges, and Incumbrances^b (if any) respectively affecting the same; but the said House of Industry Hospitals shall, subject to the Provisions herein-after contained in relation thereto, be regulated and managed in the Manner in which the same are now by Law regulated and managed, until the Lord Lieutenant shall by Order under his hand otherwise direct.

4. The Lord Lieutenant shall, subject to the approval of the Commissioners of Her Majesty's Treasury, and to the Provisions herein-after contained, regulate and determine the Number and Description of Officers and Servants to be kept for the said House of Industry Hospitals, as he may think fit, and the Salaries to be paid to them respectively; and the Lord Lieutenant may from time to time appoint or remove such Officers or Servants, and upon every Vacancy by Death, Removal, or otherwise, in any such Office, may appoint some other Person to such Office; and may fill up or not, as in his Discretion he may think fit, Vacancies among such Officers and Servants.

5. The Lord Lieutenant may, when he shall deem it expedient so to do, by Order, direct that the Management of the House of Industry Hospitals shall be vested in a Board of Governors to be partly nominated by the Lord Lieutenant and partly elected by the Subscribers to the said Hospitals, in such Proportion as the Lord Lieutenant shall from time to time determine; and the Lord Lieutenant shall also from time to time determine the Number of Members of which such Board shall consist, and the Qualification of such Members as are to be so elected by the said Subscribers.

6. Such Board of Governors, when so appointed, shall, subject to the Approval of the Lord Lieutenant, and of the Commissioners of Her Majesty's Treasury, and subject to such Orders as the Lord Lieutenant shall from time to time make in that behalf, regulate and

^a 1 & 2 Vic. c. 56, § 34 (p. 27).

^b 4 & 5 Vic. c. 41, (p. 267).

determine the Number and Description of Officers and Servants to be kept for the said House of Industry Hospitals, and the Salaries to be paid to them respectively; and may from time to time remove such Officers and Servants, and appoint others in their stead; and may fill up or not, as in their Discretion they may think fit, Vacancies among such Officers and Servants.

7. The Salaries to such Officers and Servants shall be paid out of any Moneys applicable to the Expenses of the said House of Industry Hospitals.

8. The Lord Lieutenant may from time to time, by Order, alter the Constitution and limit and define the Powers of such Board of Governors; and may, by Order, delegate to the said Board of Governors, or to any Officer of the said House of Industry Hospitals, all or any of the Powers vested in the Lord Lieutenant^a in relation thereto.

9. In case any Officer or Servant of such House of Industry Hospitals, or of the Lock Hospital in *Dublin*, shall become, from confirmed Sickness, Age, or Infirmary, incapable of executing the Office in Person, it shall be lawful for the Lord Lieutenant, if he think fit so to do, with the Consent and Approval of the Commissioners of Her Majesty's Treasury, to grant to such Officer or Servant an Annuity, by way of Superannuation, to be paid and payable out of any Moneys which shall be applicable for the Expenses of such House of Industry Hospitals and Lock Hospital respectively: Provided always, that the annual Amount paid by way of Superannuation to any such Officer or Servant shall not exceed the proportions, with reference to the Amount of Salary and the Period of Service, which by the Act passed in the Fourth and Fifth Years of the Reign of King *William* the Fourth, Chapter Twenty-four, are directed to be observed.

10. The Commissioners of Public Works in *Ireland* may from time to time, subject to the Approval of the Lord Lieutenant, order all such ordinary Repairs as may be necessary for such House of Industry Hospitals, the *Westmoreland* Lock Hospital, and any Additions, Alterations, or Improvements to or in such Hospitals, or the Offices or Appurtenances thereto belonging, as may seem necessary or proper for the further or better accommodation of the Patients who may be received

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REGULATION
ACT,
1856.

—
tenant and
Treasury.
Payment of
Salaries.

Constitution
and Powers
of Board of
Governors,
and Officers
may be
altered and
defined by
Lord Lieu-
tenant.

Superannua-
tion of aged
Officers of
House of
Industry
Hospitals
and Lock
Hospital.

Pension Act,
4 & 5 Wm.
4, c. 24.

Board of
Works may
order
Repairs, &c.,
of House of
Industry
Hospitals
and Lock
Hospital.

^a As to powers which are vested in the Lord Lieutenant in relation to the House of Industry Hospitals, and "all or any" of which may be delegated to the Governors or "any Officer" thereof, see § 4, 5, 6, 8, 9. The approval of the Treasury is however in some instances required.

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HOSPITALS
REGULATION
ACT,
1856.

Board of
Superintend-
ence of all
Hospitals in
Dublin sup-
ported by
Parliament-
ary Grants.

Duties of the
Board of
Superintend-
ence.

Meetings of
Board of
Superintend-
ence.

therein; and the Expense of such Repairs, Additions, Alterations, and Improvements shall be paid and defrayed out of any Moneys which shall be applicable for the Repairs or other ordinary Expenses of such Hospitals.

11. It shall be lawful for the Lord Lieutenant to appoint any Number of Persons, not exceeding Twelve, to be a Board of Superintendence of all Hospitals in the City of *Dublin* which shall be supported in whole or in part by Moneys appropriated by Parliament for such purpose, and to remove any Person so appointed; and in case of such removal, or in case of the death or resignation of any such Person, to appoint another Person to be a Member of such Board of Superintendence in his stead.

12. The Board of Superintendence shall inquire concerning the due performance of the Rules and Regulations required to be observed by any Act, Charter, Testamentary Bequest, or Bye-law existing at the passing of this Act under any other proper Authority in any Hospital in the City of *Dublin* supported wholly or in part by Moneys appropriated by Parliament for such purposes; and examine into the state and repair of the Buildings, the situation of the Patients therein, and the Government and Management thereof, and into the conduct of all Persons holding any Office or Employment therein or relating thereto; and such Board of Superintendence are hereby authorized and empowered to examine any Officer or other Person relating to the Situation of the Patients in such Hospital, or to the Government and Management of such Hospital; and if it shall appear to the said Board that the Persons concerned in the Government or Management of any such Hospital, or any Person holding any Office or Employment therein or relating thereto, have been guilty of any Neglect or Non-observance of the Rules and Regulations to which they were respectively bound to conform, such Board of Superintendence shall make a Report respecting the same to the Lord Lieutenant.

13. The several Persons appointed Members of such Board of Superintendence shall, within One Month after their Appointment, assemble at some convenient Place to be named in a Notice in Writing, given by Two or more Members of the Board, or by the Secretary of the Board, to the several Members so appointed; such Notice to be given to each Member personally or left at his usual Place of Abode, or transmitted to him through the Post Office, Seven Days at least before the time appointed for such Meeting; and the said Board

may adjourn the said Meeting from time to time, and meet when and so often as they think necessary: and the said Board shall at their First Meeting after their Appointment, elect One of their Members to be their Chairman, who shall preside at all Meetings at which he is present, and in case of the Absence of the Chairman from any Meeting, the Members of the Board then present shall elect One of such Members to be Chairman for the Meeting, who shall preside at the Meeting: and to constitute a Meeting of the Board there shall be present not less than Three Members thereof, except for Adjournment, which may be made by less than Three; and every Question shall be decided by a Majority of Votes (the Chairman, whether permanent or temporary, having a Vote), and in the event of an Equality of Votes on any Question, the Chairman for the time being shall have an additional or Casting Vote.

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REGULATION
ACT,
1856.

Chairman.

Quorum.

14. It shall be lawful for the Lord Lieutenant to appoint a Secretary to the said Board of Superintendence, at such Salary, not exceeding One hundred and fifty Pounds *per Annum*, as the Lord Lieutenant shall appoint, to be paid out of such Funds as Parliament shall from time to time provide towards the Maintenance of such Hospitals; and the Lord Lieutenant may remove such Secretary, and in such Case, or in case of the Death or Resignation of any such Secretary, may appoint another in his stead.

Secretary to
Board of
Superintend-
ence may
be appointed
by Lord
Lieutenant.

15. The Secretary of the Board of Superintendence, whenever required in Writing by the Chairman or Two of the Members of such Board, and the Chairman of any such Board, may, whenever he shall see fit^a, convene a Meeting of such Board by a Notice in Writing to each Member of the Time and Place of such Meeting; such Notice to be delivered, left, or transmitted as aforesaid^b by such Secretary or Chairman^a Three Days at the least before the time appointed for such Meeting.

Secretary on
Requisition,
and Chair-
man, may
convene
Meetings of
Board of
Superintend-
ence.

16. The Board of Superintendence shall from time to time prepare General Rules for the Government of all Hospitals supported wholly or in part by Moneys appropriated by Parliament^c, provided that such General Rules shall not be inconsistent with the Acts, Charters, or Testamentary Bequests at present regulating such

Board of
Superintend-
ence to make
General
Rules for
Hospitals
supported
wholly or in
part by Par-
liamentary
Grants.

^a The intention would seem to be, that the Secretary, whenever required, &c., or the Chairman whenever he shall see fit, may convene, &c.

^b § 13.

^c "All Hospitals;" sic: i.e., all Hospitals in the City of Dublin so supported!

19 & 20 VIC. Hospitals respectively ; and such Board shall also prepare General Rules for the Regulation of their own Duties and Proceedings, and for the Regulation and Performance of the Duties of the Secretary ; and shall submit the General Rules so prepared by them to the Lord Lieutenant for his Approval ; and such Rules, when approved by him, shall be printed and observed : and such Board shall have power, with the like Approbation, to alter and vary such Rules from time to time as they think necessary.

If Board neglect to make Rules Lord Lieutenant may make them.

17. In case the Board of Superintendence shall neglect to make such General Rules for the space of Three Months after being required so to do by the Lord Lieutenant, it shall be lawful for the Lord Lieutenant, by Writing under the Hand of the Chief or Under Secretary for *Ireland* for the time being, to make such General Rules, and from time to time to repeal, alter, or add to the same ; and the said Rules shall be printed and observed as the General Rules for the Government of all such Hospitals.

Board of Superintendence to make an annual Report to Lord Lieutenant ;

18. The Board of Superintendence shall in every Year lay before the Lord Lieutenant a Report, in Writing, of the State and Condition of every Hospital in the City of *Dublin* supported in whole or in part by Moneys appropriated by Parliament for such Purposes ; and as to its Sufficiency for the Patients for whom it may be requisite to provide Accommodation ; and as to the Management of such Hospital, and the Conduct of the Officers and Servants thereof, and the Care of the Patients therein : and such Board may, in such Report, make such Remarks or Observations, in relation to any Matters connected with such Hospital, as they may think fit : and the Lord Lieutenant shall cause a Copy of such Report to be laid before both Houses of Parliament.

to be laid before Parliament.

PUBLICATIONS BY THE SAME EDITOR.

12mo, price 2s. 6d.

REGISTRATION MANUAL: containing the MARRIAGE ACT, and the ACT for the REGISTRATION of BIRTHS, DEATHS, and MARRIAGES in ENGLAND and WALES, 6 & 7 Wm. IV. cap. 85, and cap. 86:—With an ABSTRACT of their provisions, and NOTES; CIRCULARS of the REGISTRAR-GENERAL and the POOR LAW COMMISSIONERS for England and Wales; and an ANALYTICAL INDEX.—LONDON; CHARLES KNIGHT and Co. 1836.

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A STATEMENT of the PROVISIONS of the ACT for MARRIAGES and REGISTERING MARRIAGES in IRELAND: showing the Requirements of the Act as regards the several Modes of Proceeding in the due Celebration of Marriage, and the Functions of Persons Ministering thereto; also, the provision made for the Registration of Marriages, and for Access to the Registers. WITH THE ACT, 7 & 8 Vic. c. 81; also, 5 & 6 Vic. c. 113, and 6 & 7 Vic. c. 39: and NOTES, and a copious ANALYTICAL INDEX. By ARTHUR MOORE, Esq. *Second Edition.* DUBLIN; ALEXANDER THOM. 1844.

Printed in 1856: folio.

A PLAN, in the form of a DRAFT BILL, for the REGISTRATION of BIRTHS and DEATHS in IRELAND, and for the more general REGISTRATION of MARRIAGES in that Part of the United Kingdom. With Introductory Observations, and Explanatory Notes on the Bill. By ARTHUR MOORE, late Assistant Secretary of the Poor Law Commission in Ireland, and formerly Secretary of the Central Board of Health for Ireland; Author of Digests of the Marriage and Registration Acts, England and Ireland; Compendium of Irish Poor Law; Statistics of Poor Law and County Divisions in Ireland; &c.

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REGISTRATION of BIRTHS, DEATHS, and MARRIAGES in Ireland: A PAPER read at the MEETING of the BRITISH ASSOCIATION for the ADVANCEMENT of SCIENCE, held in TRINITY COLLEGE, DUBLIN; on Tuesday, 1st September 1857. By ARTHUR MOORE, Esq., MEMB. BRIT. ASSOC., &c.

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The STATISTICAL TABLES of which this volume is composed were designed to accompany a general Map of Ireland, exhibiting the boundaries of the Poor

Law Divisions, and of the County Divisions, Baronies, &c.; the numbers prefixed to the names of the Electoral Divisions referring to corresponding numbers on the map. The tables were equally applicable to maps for separate Counties, Unions, &c.: and the volume of statistics was also published and obtainable separately from the map. The population was necessarily taken from the last previous census, that of 1841, the work having been published in 1847; the area from the last survey, according to the then existing boundaries; and the value from the last Poor Law Valuation then in force. The tables had reference to the old unions, as existing before the more recent alterations of boundaries. The valuation was compiled from returns obtained for the purposes of the Labour Rate Act and the Relief Works in 1846-7.

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12mo, price 2s. 6d. 1856.

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17 & 18 Vic. c. 103 :—With PROVISIONS of ACTS incorporated therewith, and ACTS amending the same. Arranged, with INTRODUCTION, NOTES, and INDEX, by ARTHUR MOORE, Esq., late Assistant Secretary of the Poor Law Commission, and formerly Secretary of the Central Board of Health for Ireland; Editor of "Sanitary Acts for Ireland, 1846-1848," "Compendium of Irish Poor Law," &c.

CONTENTS :—Introduction; and List of Towns in which the Act has been adopted and brought into operation.—Index.

The Towns Improvement (Ireland) Act, 1854 :—17 & 18 Vic. c. 103; an Act to make better Provision for the Paving, Lighting, Draining, Cleansing, Supplying with Water, and Regulation, of Towns in Ireland.

General Provisions; Interpretation of Terms; Short Title; Mode of incorporating Parts of Act.—Course of proceeding for determining whether Act shall be adopted or not, in any Town.—Notification in Gazette, on adoption of Act; defining of District or Boundaries, Division into Wards, Number of Commissioners to be elected, and other preliminary arrangements.—Act of 9 Geo. 4, c. 82; Local Acts; Town Council under Municipal Corporations Act.—Election and Rotation of Commissioners.—Qualification of Commissioners.—Meetings, Proceedings, and Liabilities of the Commissioners.—Chairman of the Commissioners, and selection for a Justice of the Peace; Duties of Commissioner selected for Justice of Peace.—Clerk and Officers to be appointed by the Commissioners.—Surveys and Plans of Towns and of Works to be executed.—Public Sewers.—Drainage of Houses.—Paving and maintaining the Streets.—Laying out new Streets.—Naming Streets; Numbering Houses.—Improving the Line of Streets, Removing Obstructions.—Ruinous and dangerous Buildings.—Precautions during Construction and Repair of Sewers, Streets, and Houses.—Objections to Works constructed by or under approval of Commissioners; Appeal.—Cleansing Streets, &c.—Prevention of Nuisances.—Prevention of Smoke.—Construction of Houses for Prevention of Fire.—Ventilation; supplying Buildings with fresh Air.—Lodging Houses.—Slaughter Houses.—Sale or Exposure of unwholesome and adulterated Food.—Lighting.—Supply of Water.—Special Orders; things to be done by Commissioners by special order only.—Public Clocks.—Powers of Entry by Commissioners and their Officers in execution of the act.—Ensuring execution of Works required to be done by Owners or Occupiers.—Sale of Gunpowder.—Bye-laws.—Contracts and Deeds.—Appointment and Accountability of Officers.—General Assessments; Manner of Making Rates.—Private and District Assessments; for Sewers, Drains, and Private Improvements: Appeal against Private or District Assessments.—Accounts and Audit.—Borrowing of Money; Mortgages.—Regulation of Towns; Obstructions and Nuisances in Streets, Vagrants and Beggars, &c.; Enumeration of Offences and Penalties.

—Fire Engines, Firemen, &c.—Places of Public Resort; Public Houses, &c.—Public Bathing.—Hackney Carriages, &c.; Bye-laws for Hackney Carriages, Boats and Boatmen, Porters, Fares, &c.—Constables or Watchmen.—Legal Proceedings:—Recovery of Damages; of Penalties, and their application; Appeal; Actions, &c.—Public Libraries and Museums, &c.

Schedules of Forms annexed to the Act:—(A). Notice of Meeting to consider as to adoption of Act; (B). Form of Book to be used in Election of Commissioners; (C). Form of Conviction.

Appendix.—I. Provisions of Acts Incorporated with the Towns Improvement (Ireland) Act, 1854:—8 Vic. c. 18; Lands Clauses Consolidation Act, 1845; Form of Declaration by Arbitrator or Umpire, on appointment.—10 Vic. c. 16; Commissioners Clauses Act, 1847; Form of Declaration by Commissioners on Election; Form of Voting Paper (Schedule A); Form of Mortgage (Schedule B); Form of Transfer of Mortgage (Schedule C).—10 & 11 Vic. c. 34; Towns Improvement Clauses Act, 1847; Form of Declaration by Surveyor, on appointment; Form of Rate (Schedule A.—13 & 14 Vic. c. 65; Public Libraries Act, 1850, (England); Schedule of Forms annexed to Act.—16 & 17 Vic. c. 101; Act, 1853, extending the Public Libraries Act, 1850, to Ireland and Scotland.

II. Provisions amending foregoing Acts:—18 & 19 Vic. c. 40; the Public Libraries Act (Ireland), 1855.

[NOTE.—The five following publications, so far as their contents continue in force, with alterations and additions bringing them down to 1858, are now included in the last Editions of the “Compendium of the Irish Poor Law.”]

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1 & 2 Vic. c. 56: 1838.—2 Vic. c. 1: 1839.—6 & 7 Vic. c. 92: 1843.—10 Vic. c. 31: 1847.—10 & 11 Vic. c. 84, Vagrant Act, 1847.—10 & 11 Vic. c. 90: 1847.—11 & 12 Vic. c. 25: 1848.—11 & 12 Vic. c. 47, Evicted Poor Protection and Relief Act, 1848.—12 Vic. c. 4: 1849.—12 & 13 Vic. c. 104: 1849.—14 & 15 Vic. c. 68, Dispensaries Act, 1851.—15 & 16 Vic. c. 37: 17 & 18 Vic. c. 63: 19 Vic. c. 14; 1856: Poor Law Commission.

2.—TEMPORARY RELIEF AND ADVANCES ACTS, 1846 TO 1849; AND SUBSEQUENT ACTS CONNECTED WITH THEM.

This division comprises an Abstract of the temporary relief measures passed during and in consequence of the Famine; and Acts in full, relating to the Rate-in-Aid, Grants and Loans, Consolidated Annuities and their Remission, &c.

3.—OTHER STATUTES CONNECTED WITH OR REFERRED TO IN THE IRISH POOR RELIEF ACTS, OR RELATING TO THE FUNCTIONS OF OFFICERS APPOINTED UNDER THOSE ACTS.

Houses of Industry, Foundling Hospitals, &c.—Provisions of various statutes for relief of Foundlings or Deserted Children.—Vaccination Acts.—Relief to Pensioners, and Families of Seamen, and repayment of same.—Apprenticeship of Pauper Boys to Merchant Sea Service and in Royal Navy.—Workhouse Lands; from Prisons Act.—Rates; Collection, Exemptions, Deductions, Justices' Powers, &c.: provisions from Grand Jury and various other Acts.—Tenements Valuation Acts, and statement of progress; Fisheries Valuation, &c.—Duties of Clerks, and other Union Officers: Income Tax Valuations and Rate Books; Parliamentary Franchise and Municipal Acts; Marriage Act; Railway Bills Notices, &c.—Provisions of Municipal Acts concerning Boards of Guardians and their Officers: Towns Improvement Act, and list of places in which it is in force.—Ministers' Money Acts.—Acts relating to the City of Dublin, Valuation and Rating, &c.; Dublin Rates Collection Act and Improvement Act:—and various other general and local provisions having relation to the Poor Law or Union Officers.

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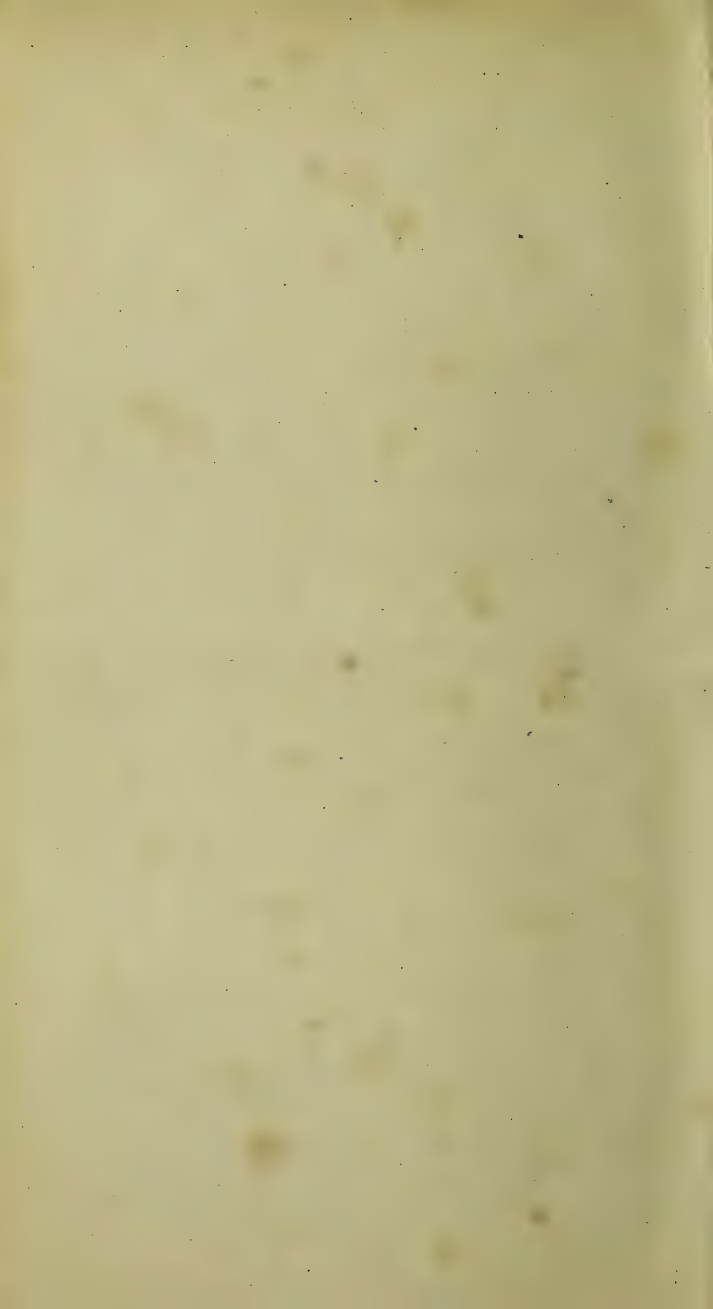
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